

the Secretary of the Interior to acquire land, strip it of certain rights inherent in fee ownership, hold it for unearned increment, and then sell it for "more than 100 percent of the initial acquisition cost."

Who now becomes a land speculator?

This is bad public policy even if the acquisition is from willing sellers. It would cause all property owners to wonder why the Government wants to buy—for use, or for speculative profit. If for profit, the existing owners would quite reasonably want to hold out for as much of the gain as possible, thus adding to the upward pressure on land prices. We consider it absolutely indefensible for the Government to condemn land from unwilling sellers and then sell it for a profit. If the Government needs the property it should prove and validate such need by prompt and effective use. If the Government does not need the property, it should be prohibited and prevented from taking it. When there is a legitimate current need for an interest less than fee simple, the negotiations should be aimed specifically at that interest. Nothing more should be acquired. No threat of full condemnation should be made to force the owners to give up part of their property rights.

Secretary Udall, in the testimony, stated that in the proposed sell-back and lease-back of the Ozark National Scenic Riverways the land should be sold subject to the condition that if it is used for other than farming, title will automatically revert to the Federal Government. In all equity, the reverse should also apply, that when the Federal Government condemns land for a particular purpose, if it uses the land for other than that purpose the land should revert to the original owner.

We are concerned about the concept of condemning land for presumed public necessity, and then opening it for the filing of mineral claims. This strikes us as inequitable, and subject to possible abuse by graft or collusion. If the mineral rights are essential to or in conflict with the Government's use of the property, the mineral rights should be specifically excluded from public claim. If the exercise of mineral rights does not adversely affect the use of the property by the Government, then the mineral rights should be reserved to the land-owners at the time the Government acquires the surface rights.

In this respect, let me cite section 6(c) of S. 119, the wild and scenic rivers bill which was passed by the Senate last August. We think that section unnecessarily takes rights from private owners and throws them up for grabs.

We propose that section 2 of S. 1401 and H.R. 8578 be amended to provide that—

No property or rights therein acquired by condemnation may be disposed of by sale, exchange, lease, or otherwise, except to the original owner from whom it was acquired, or his heirs, for a period of ten years after the actual date of consummation of the acquisition. If any such property is sold back to the former owner, the price which he may be charged shall not exceed the amount paid to him at the time of acquisition, and any Federal income or capital gains taxes paid by him at the time of acquisition must be deducted from the price he pays when he re-acquires the property.

I also wish to recommend the following legislation to be introduced or included in the bills under consideration as an amendment. This proposed bill or amendment has been approved by the board of directors of the Potomac Federation after careful study.