

A BILL. To protect privately owned property from condemnation for public purposes which are desirable but less than vital, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.*

SEC. 1. 40 U.S. Code 257 is hereby amended to read as follows:

a. In every case in which the Secretary of the Treasury or any other officer of the Government has been, or hereafter shall be, authorized to procure real estate for the erection of a public building or for other public uses, he may acquire the same for the United States by condemnation, under judicial process, whenever in his opinion it is necessary or advantageous to the Government to do so: *Provided, however,* That condemnation shall not be used by any public officer to acquire land for parks, or recreational or scenic purposes, from natural persons, without the prior written consent of the owners, and the Attorney General of the United States, upon every application of the Secretary of the Treasury, under this section and section 258 of this title, or such other officer, shall cause proceedings to be commenced for condemnation within thirty days from receipt of the application at the Department of Justice.

b. When the Congress deems it essential in the public interest to take personally-owned property for parks, or recreational or scenic purposes, it shall first define and delimit the property, make active efforts to place notice of proposed taking in the actual hands of the natural owners, and schedule and hold public hearings in the area of the property, with due public notice, prior to the passage of specific legislation authorizing the acquisition of such property by the Government.

In the absence of such modifications as herein suggested, we are opposed to these bills. If the suggested changes are made, it is our belief that the resulting legislation can perhaps serve a useful purpose while protecting the owners of homes, farms, and small businesses from undue damage to their rights.

Thank you very much, Mr. Chairman.

Senator CHURCH. Mr. Moulton, I appreciate your testimony. I think that the affect of land acquisition on the tax base is a very important consideration. If you lived in my State, you would be even more aware of it. My State is 70 percent owned by the Federal Government.

I believe that is the last witness.

Are there any other witnesses who want to be heard?

The session is adjourned subject to the call of the Chair.

Whereupon, at 3:20 p.m. the committee was recessed subject to call.