

TO DIRECT THE SECRETARY OF THE INTERIOR, ACTING THROUGH THE BUREAU OF LAND MANAGEMENT, TO CONVEY TO THE CITY OF CARLIN, NEVADA, IN EXCHANGE FOR CONSIDERATION, ALL RIGHT, TITLE, AND INTEREST OF THE UNITED STATES, TO ANY FEDERAL LAND WITHIN THAT CITY THAT IS UNDER THE JURISDICTION OF THAT AGENCY, AND FOR OTHER PURPOSES

SEPTEMBER 20, 2013.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. HASTINGS of Washington, from the Committee on Natural Resources, submitted the following

R E P O R T

[To accompany H.R. 1168]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 1168) to direct the Secretary of the Interior, acting through the Bureau of Land Management, to convey to the City of Carlin, Nevada, in exchange for consideration, all right, title, and interest of the United States, to any Federal land within that city that is under the jurisdiction of that agency, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. CONVEYANCE OF CERTAIN FEDERAL LAND TO CITY OF CARLIN, NEVADA.

(a) DEFINITIONS.—

(1) CITY.—The term “City” means the City of Carlin, Nevada.

(2) FEDERAL LAND.—The term “Federal land” means the approximately 1,400 acres of land located in the City of Carlin, Nevada, that is identified on the map as “Carlin Selected Parcels”.

(3) MAP.—The term “map” means the map entitled “Proposed Carlin, Nevada Land Sales” map dated June 6, 2013.

(b) CONVEYANCE REQUIRED.—Subject to valid existing rights and not later than 180 days after the date on which the Secretary of the Interior receives an offer from the City to purchase the Federal land, the Secretary, acting through the Bureau of Land Management, shall convey, notwithstanding the land use planning requirements of sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1713), to the City, in exchange for consideration in an amount equal to the fair market value of the Federal land, all right, title, and interest of the United States, to such Federal land.

(c) APPRAISAL TO DETERMINE FAIR MARKET VALUE.—The Secretary shall determine the fair market value of the Federal land to be conveyed—

(1) in accordance with the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(2) based on an appraisal that is conducted in accordance with nationally recognized appraisal standards, including—

(A) the Uniform Appraisal Standards for Federal Land Acquisition; and

(B) the Uniform Standards of Professional Appraisal Practice.

(d) AVAILABILITY OF MAP.—The map shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(e) COSTS.—The City shall, at closing for the conveyance authorized under subsection (b), pay or reimburse the Secretary, as appropriate, for the reasonable transaction and administrative personnel costs associated with the conveyance authorized under such subsection, including the costs of appraisal, title searches, maps, and boundary and cadastral surveys.

(f) CONVEYANCE NOT A MAJOR FEDERAL ACTION.—A conveyance or combination of conveyances made under this section shall not be considered a major Federal action for purposes of section 102(2) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)).

(g) RELEASE OF UNITED STATES.—Upon making the conveyance under subsection (b), notwithstanding any other provision of law, the United States is released from any and all liabilities or claims of any kind or nature arising from the presence, release, or threat of release of any hazardous substance, pollutant, contaminant, petroleum product (or derivative of a petroleum product of any kind), solid waste, mine materials or mining related features (including tailings, overburden, waste rock, mill remnants, pits, or other hazards resulting from the presence of mining related features) on the Federal land in existence on or before the date of the conveyance.

(h) WITHDRAWAL.—Subject to valid existing rights, the Federal land identified for conveyance shall be withdrawn from all forms of—

(1) entry, appropriation, or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) disposition under the mineral leasing, mineral materials and geothermal leasing laws.

PURPOSE OF THE BILL

The purpose of H.R. 1168 is to direct the Secretary of the Interior, acting through the Bureau of Land Management, to convey to the City of Carlin, Nevada, in exchange for consideration, all right, title, and interest of the United States, to any Federal land within that city that is under the jurisdiction of that agency.

BACKGROUND AND NEED FOR LEGISLATION

With the thriving mining and transportation industries, in addition to the numerous support businesses, the City of Carlin, Nevada is in the midst of an economic recovery. The significant growth and expanding businesses in the area is creating a demand for more space for commercial, residential and other economic development purposes.

The Bureau of Land Management (BLM) controls significant tracts of land in and around Carlin. Without access to these lands for housing and business expansion, the ongoing economic development and long-term prosperity of the community could be curtailed. H.R. 1168 will allow the City of Carlin, Nevada, to purchase up to 1,409 acres of BLM land surrounding the city at fair market value. This will provide the City of Carlin with the essential space for expansion and allow for its continued economic growth.

COMMITTEE ACTION

H.R. 1168 was introduced on March 14, 2013, by Congressman Mark Amodei (R–NV). The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee

on Public Lands and Environmental Regulation. On July 19, 2013, the Subcommittee held a hearing on the bill. On July 31, 2013, the full Natural Resources Committee met to consider the bill. The Subcommittee on Public Lands and Environmental Regulation was discharged by unanimous consent. Congressman Rob Bishop offered an amendment designated #1 to the bill; the amendment was adopted by unanimous consent. No further amendments were offered, and the bill, as amended, was then adopted and ordered favorably reported to the House of Representatives by unanimous consent.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of Rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Natural Resources' oversight findings and recommendations are reflected in the body of this report.

COMPLIANCE WITH HOUSE RULE XIII

1. Cost of Legislation. Clause 3(d)(1) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out this bill. However, clause 3(d)(2)(B) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974. Under clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for this bill from the Director of the Congressional Budget Office:

H.R. 1168—A bill to direct the Secretary of the Interior, acting through the Bureau of Land Management, to convey to the City of Carlin, Nevada, in exchange for consideration, all right, title, and interest of the United States, to any federal land within that city that is under the jurisdiction of that agency, and for other purposes

H.R. 1168 would require to the Secretary of the Interior to sell about 1,400 acres of federal land in Nevada to the city of Carlin at fair market value. Based on information from individuals familiar with real estate values in northern Nevada, CBO estimates that the value of the affected lands would range from \$360 to \$1,000 an acre and would total roughly \$1 million; thus, we estimate that enacting H.R. 1168 would increase offsetting receipts, which are treated as reductions in direct spending, by that amount. CBO expects that the city would purchase the land over a five-year period; therefore, we estimate that receipts would not exceed \$500,000 in any year over the 2014–2018 period. Because H.R. 1168 would affect direct spending, pay-as-you-go procedures apply. The bill would not affect revenues.

H.R. 1168 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.

The CBO staff contact for this estimate is Jeff LaFave. The estimate was approved by Theresa Gullo, Deputy Assistant Director for Budget Analysis.

2. Section 308(a) of Congressional Budget Act. As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures. Based on information from individuals familiar with real estate values in northern Nevada, CBO estimates that the value of the affected lands would range from \$360 to \$1,000 an acre and would total roughly \$1 million; thus, it is estimated that enacting H.R. 1168 would increase offsetting receipts, which are treated as reductions in direct spending, by that amount. CBO expects that the city would purchase the land over a five-year period; therefore, it is estimated that receipts would not exceed \$500,000 in any year over the 2014–2018 period. Because H.R. 1168 would affect direct spending, pay-as-you-go procedures apply.

3. General Performance Goals and Objectives. As required by clause 3(c)(4) of rule XIII, the general performance goal or objective of this bill is to direct the Secretary of the Interior, acting through the Bureau of Land Management, to convey to the City of Carlin, Nevada, in exchange for consideration, all right, title, and interest of the United States, to any Federal land within that city that is under the jurisdiction of that agency.

EARMARK STATEMENT

This bill does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined under clause 9(e), 9(f), and 9(g) of rule XXI of the Rules of the House of Representatives.

COMPLIANCE WITH PUBLIC LAW 104–4

This bill contains no unfunded mandates.

COMPLIANCE WITH H. RES. 5

Directed Rule Making. The Chairman does not believe that this bill directs any executive branch official to conduct any specific rule-making proceedings.

Duplication of Existing Programs. This bill does not establish or reauthorize a program of the federal government known to be duplicative of another program. Such program was not included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139 or identified in the most recent Catalog of Federal Domestic Assistance published pursuant to the Federal Program Information Act (Public Law 95–220, as amended by Public Law 98–169) as relating to other programs.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

CHANGES IN EXISTING LAW

If enacted, this bill would make no changes in existing law.