

## FRUIT HEIGHTS LAND CONVEYANCE ACT

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MAY 17, 2013.—Committed to the Committee of the Whole House on the State of  
the Union and ordered to be printed

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

### R E P O R T

together with

### DISSENTING VIEWS

[To accompany H.R. 993]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.F. 993) to provide for the conveyance of certain parcels of National Forest System land to the city of Fruit Heights, Utah, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

#### PURPOSE OF THE BILL

The purpose of H.R. 993 is to provide for the conveyance of certain parcels of National Forest System land to the city of Fruit Heights, Utah.

#### BACKGROUND AND NEED FOR LEGISLATION

The city of Fruit Heights, Utah is surrounded by federal land managed by the U.S. Forest Service. Due to the surrounding federal land, Fruit Heights is constrained in its options for development and is in need of space to develop a community cemetery. H.R. 993 would authorize the Secretary of Agriculture to convey approximately 100 acres of National Forest System land to the city of Fruit Heights for the purpose of allowing the community to have its own cemetery.

## COMMITTEE ACTION

H.R. 993 was introduced on March 6, 2013, by Congressman Rob Bishop (R-UT). The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on Public Lands and Environmental Regulation. On April 18, 2013, the Subcommittee held a hearing on the bill. On April 24, 2013, the Full Natural Resources Committee met to consider the bill. The Subcommittee on Public Lands and Environmental Regulation was discharged by unanimous consent. No amendments were offered, and the bill was then adopted and ordered favorably reported to the House of Representatives by voice vote.

## 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. 993—Fruit Heights Land Conveyance Act*

H.R. 993 would direct the Secretary of Agriculture to convey, without consideration, certain lands in Utah to the town of Fruit Heights City. Based on information from the Forest Service, CBO estimates that implementing the legislation would have no significant impact on the federal budget. Enacting H.R. 993 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

Under the bill, the Secretary would be required to convey about 100 acres of land within the Uinta-Wasatch-Cache National Forest to Fruit Heights City, Utah. The conveyed land could be used by the town for public purposes only and would revert to the federal government if used for other purposes. The affected lands do not currently generate offsetting receipts for the federal government and are not expected to generate such receipts over the next 10 years. Any costs to survey the affected lands would be paid by the town.

H.R. 993 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

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 the Forest Service, CBO estimates that implementing the legislation would have no significant impact on the federal budget.

**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 provide for the conveyance of certain parcels of National Forest System land to the city of Fruit Heights, Utah.

#### 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.

## DISSENTING VIEWS

We oppose H.R. 993 because it conveys, at no cost, 100 acres of Forest Service land to Fruit Heights, Utah. While we are sympathetic to the needs of Fruit Heights, this conveyance is simply not in the interest of the United States taxpayers.

The parcel of land in question was purchased by the federal government in 2002 for over \$3 million from the Land and Water Conservation Fund. It is highly unusual, just ten years after a land acquisition is made, to turn around and convey that land, for free, to another entity.

Davis County, Utah has experienced double digit growth for the past decade. The surrounding Forest Service lands have been critical in protecting water quality and open space for this region. To give away the very federal resources which have played a significant role in attracting new residents to this area is unwise and unwarranted.

EDWARD J. MARKEY,  
*Ranking Democratic Member,  
Natural Resources  
Committee.*

RAUL M. GRIJALVA,  
*Ranking Democratic Member,  
Subcommittee on Public  
Lands and Environmental  
Regulation.*

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