

## Calendar No. 414

113TH CONGRESS }  
2d Session }

SENATE

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### A BILL TO APPROVE THE TRANSFER OF YELLOW CREEK PORT PROPERTIES IN IUKA, MISSISSIPPI

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JUNE 5, 2014.—Ordered to be printed

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Mrs. BOXER, from the Committee on Environment and Public  
Works, submitted the following

### R E P O R T

[To accompany S. 212]

[Including cost estimate of the Congressional Budget Office]

The Committee on Environment and Public Works, to which was referred the bill (S. 212) to approve the transfer of Yellow Creek Port properties in Iuka, Mississippi, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

#### PURPOSE OF THE LEGISLATION

S. 212 approves the transfer of federal properties at the Yellow Creek Port in Iuka, Mississippi, by the Tennessee Valley Authority to the State of Mississippi.

#### GENERAL STATEMENT AND BACKGROUND

The Tennessee Valley Authority is the nation's largest public power provider and a corporation of the U.S. government. TVA was established by Congress in 1933 to address a wide range of environmental, economic, and technological issues, including the delivery of low-cost electricity, the management of natural resources, environmental stewardship, and advancing the economic development of the Tennessee Valley region. Section 4(k) of the Tennessee Valley Authority Act of 1933 (16 U.S.C. 831c(k)), authorizes TVA to convey real property to any person, including a State, for purposes of erecting docks and buildings for shipping purposes or the manufacture or storage of products for the purpose of trading or shipping in transportation, subject to the approval of Congress.

The Yellow Creek Port, located on the Tennessee-Tombigbee Waterway in Iuka, Mississippi, was developed by TVA in cooperation with the State of Mississippi for economic development purposes. The port facilities include a dock, mooring cells, a railway connection, mobile cranes, warehouses, and barge storage areas. TVA previously transferred real property at the port to the state of Mississippi which has been developed commercially, including a number of manufacturing operations. This bill approves the transfer of the remaining federal properties to the State of Mississippi to more efficiently administer the port and further economic development and job creation in the area.

#### SECTION-BY-SECTION ANALYSIS

##### *Section 1. Transfer of Yellow Creek Port properties*

Section 1 approves the conveyance by TVA, on behalf of the United States, to the State of Mississippi of the Yellow Creek Port properties owned by the United States and in the custody of TVA at Iuka, Mississippi.

#### LEGISLATIVE HISTORY

Senator Cochran introduced S. 212, a bill to approve the transfer of Yellow Creek Port properties in Iuka, Mississippi, on February 4, 2013. The bill was read twice and referred to the Senate Committee on Environment and Public Works. The Committee met on February 6, 2014, and ordered S. 212 favorably reported without amendment by voice vote.

#### HEARINGS

There were no hearings held on this bill.

#### ROLL CALL VOTES

On February 6, 2014, the Committee on Environment and Public Works met and considered S. 212. S. 212 was reported favorably without amendment by a voice vote. There were no roll call votes taken on this bill.

#### REGULATORY IMPACT STATEMENT

In compliance with section 11(b) of rule XXVI of the Standing Rules of the Senate, the committee finds that S. 212 does not create any additional regulatory burdens, nor will it cause any adverse impact on the personal privacy of individuals.

#### MANDATES ASSESSMENT

In compliance with the Unfunded Mandates Reform Act of 1995 (Public Law 104-4), the Committee notes that the Congressional Budget Office has found, "S. 212 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would benefit the state of Mississippi."

#### CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

In compliance with paragraph 11(a) of rule XXVI of the Standing Rules of the Senate and section 403 of the Congressional Budget

Act of 1974, the Committee provides the following cost estimate, prepared by the Congressional Budget Office:

FEBRUARY 28, 2014.

Hon. BARBARA BOXER,  
*Chairman, Committee on Environment and Public Works,*  
*U.S. Senate, Washington, DC.*

DEAR MADAM CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 212, a bill to approve the transfer the Yellow Creek Port properties in Iuka, Mississippi.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Kathleen Gramp.

Sincerely,

DOUGLAS W. ELMENDORF.

Enclosure.

*S. 212—A bill to approve the transfer of Yellow Creek Port properties in Iuka, Mississippi*

S. 212 would authorize the Tennessee Valley Authority (TVA) to convey certain federal properties to the state of Mississippi. Enacting S. 212 would affect direct spending; therefore, pay-as-you-go procedures apply to the bill. CBO estimates, however, that the net impact on direct spending would be insignificant over the 2014–2024 period. Enacting S. 212 would not affect revenues or spending subject to appropriation.

S. 212 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would benefit the state of Mississippi.

Based on information from TVA and the state of Mississippi, CBO estimates that TVA would convey approximately 172 acres in an area known as the Yellow Creek Port in Iuka, Mississippi. Under a law enacted by the state in 2011, Mississippi is authorized to acquire the property if environmental assessments determine that the property is clear of any contaminants or pollutants and if TVA waives certain payment obligations. The conveyance is subject to Congressional approval because the transfer would occur through a noncompetitive process.

TVA would incur some administrative and other expenses to implement the conveyance, but CBO expects that those costs probably would be insignificant in any given year. Although some spending may occur if the state's environmental assessments identify a need for remedial action, TVA anticipates that any such costs would be negligible and could occur under current law. Furthermore, CBO estimates that any changes in TVA's expenses would have no significant net effect on direct spending over the 2014–2024 period because TVA is required by law to pass on all of its costs and savings to its electricity customers.

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

#### CHANGES IN EXISTING LAW

Section 12 of rule XXVI of the Standing Rules of the Senate requires the committee to publish changes in existing law made by

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the bill as reported. Passage of this bill will make no changes to existing law.

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