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SENATE

{ REPORT
119-108

UNIVERSITY OF UTAH RESEARCH PARK ACT

FEBRUARY 11, 2026.—Ordered to be printed

Mr. LEE, from the Committee on Energy and Natural
Resources, submitted the following

R E P O R T

[To accompany S. 1453]

[Including cost estimate of the Congressional Budget Office]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 1453) to confirm the use of certain non-Federal land in Salt Lake City, Utah, for public purposes, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE

The purpose of S. 1453 is to confirm the use of certain non-Federal land in Salt Lake City, Utah, for public purposes.

BACKGROUND AND NEED

The Recreation and Public Purposes Act (R&PP Act) authorizes the Secretary of the Interior to convey up to 640 acres of public land to a State, local government, or State instrumentality for public purposes. (43 U.S.C. 869 et seq.). Although the Act does not define the term “public purpose,” the Department of the Interior’s regulations implementing the Act say that it “means for the purpose of providing facilities or services for the benefit of the public in connection with . . . public health, safety or welfare.” The lands can be used for commercial or residential purposes only if the use is “necessary for and integral to,” and an “essential part of,” the public purpose. (43 C.F.R. 2740.0–5(d)).

The grantee must show “that the land will be used for an established or definitely proposed project” before the land can be conveyed under the R&PP Act. (43 U.S.C. 869). The grantee “may not

change the use specified in the conveyance to another or additional use except, with the consent of the Secretary” for other public purposes. “If at any time after the lands are conveyed by the Government, the lands are devoted to a use other than that for which the lands were conveyed, without the consent of the Secretary, title to the lands shall revert to the United States.” (43 U.S.C. 869–2).

The Secretary of the Interior conveyed 593 acres of public land to the University of Utah under the R&PP Act in 1968. The patent states that the land was conveyed “for purposes of academic expansion of the University of Utah, for an arboretum, and for highway and utility rights-of-way to serve those purposes.”¹ More specifically, the patent required the University to “comply with the provisions of [an] approved management plan of development and management,” filed with the Bureau of Land Management in 1968, “or with any revision approved by the Secretary”²

The patent further stated that it was “issued under the provision that, if . . . the lands are devoted to a use other than that for which the lands were conveyed, without the consent of the Secretary of the Interior or his delegate, title shall revert to the United States.”³ Alternatively, the patent provided that, instead of forfeiting title, the University could “pay the United States an amount equal to the difference between the price paid for the land,” which was \$2.50 per acre, “and 50 percent of the fair market value of the patented lands”⁴ in 1968 plus interest.

The University of Utah established and is currently operating an academic research park on a large portion of the patented lands. Although the patent does not specifically mention a research park, the University’s application for the land and the management plan approved in 1968 “show that a research park was one of the uses intended by the University.”⁵ The Acting Secretary of the Interior, Fred Russell, acknowledged “that the Department has been fully cognizant of the intended use of the land for research park purposes” in a letter to the University in December 1970. The Acting Secretary plainly stated that “the Department approved the University’s development plan and therefore approved such use,” and “in effect, incorporates” the research park by reference. He also found “that use of the land for a Research Park is a valid public purpose”⁶

“Thus,” the Acting Secretary concluded, “we see no problem with use of the land for the Research Park, provided that such use is in conformity with the development plan. Whether any particular phase of development conforms to that plan is a matter for separate consideration.”⁷ In other words, while the Department of the Interior approved use of the patented lands for the research park more than 50 years ago, it reserved for “separate consideration”⁸ whether future phases of development would conform to the approved development plan.

¹ BLM Patent #43–69–0012, November 19, 1968.

² *Id.*

³ *Id.*

⁴ *Id.*

⁵ Recreation and Public Purposes Act from the University of Utah, August 19, 1968.

⁶ Letter from the Honorable Fred Russell, Secretary of the Interior, December 10, 1970.

⁷ *Id.*

⁸ *Id.*

For over 50 years, the University of Utah has built and operated the research park in the belief that it is in compliance with the terms of the land conveyance. Recently, however, the Bureau of Land Management has raised concerns that activities previously authorized by the Bureau, including use of the land for a research park, and some proposed updates to the development plan desired by the University, may not be allowed under the R&PP Act.

S. 1453 confirms as valid R&PP Act public purposes the use of the conveyed land as a university research park, as approved by the Secretary of the Interior and any modifications of the approved plan approved by the Department of the Interior prior to the date of enactment of this Act.

Enactment of S. 1453 removes legal uncertainty for the University of Utah in managing the property consistent with previous Department of the Interior approvals.

LEGISLATIVE HISTORY

S. 1453 was introduced by Chairman Lee on April 10, 2025, and subsequently referred to the Committee on Energy and Natural Resources. Senator Curtis is a cosponsor. Similar legislation, H.R. 2876, was introduced in the House of Representatives by Rep. Moore on April 10, 2025. The Subcommittee on Federal Lands of the House Committee on Natural Resources held a hearing on H.R. 2876 on April 29, 2025. The Committee on Natural Resources reported the bill on September 15, 2025. H. Rept. 119–290.

In the 118th Congress, similar legislation, S. 1260, was introduced by Senator Lee on April 25, 2023. The Committee ordered the bill reported favorably with an amendment on July 25, 2023. (S. Rept. 118–75). Representative Moore introduced a companion measure, H.R. 5768, in the House of Representatives on September 27, 2023. No further action was taken on either bill.

Similar legislation, S. 3370, was introduced in the 117th Congress by Senator Lee on December 9, 2021. The Subcommittee on Public Lands, Forests, and Mining held a hearing on S. 3370 on June 7, 2022 (S. Hrg. 117–301). The Committee ordered S. 3370 reported favorably without amendment on July 21, 2022. (S. Rept. 117–284). Representative Stewart introduced a companion measure in the House of Representatives, H.R. 6240. The House Natural Resources Subcommittee on National Parks, Forests, and Mining held a hearing on H.R. 6240 on June 23, 2022. No further action was taken on either bill.

COMMITTEE RECOMMENDATION AND TABULATION OF VOTES

The Senate Committee on Energy and Natural Resources, in open business session, on September 11, 2025, by a majority vote of a quorum present, recommends that the Senate pass S. 1453.

The roll call vote on reporting the measure was 16 yeas, 4 nays as follows:

YEAS

Mr. Lee
 Mr. Barrasso
 Mr. Risch
 Mr. Daines
 Mr. Cotton
 Mr. McCormick *
 Mr. Justice
 Mr. Cassidy
 Mrs. Hyde-Smith
 Ms. Murkowski
 Mr. Hoeven
 Mr. Wyden *
 Mr. King *
 Mr. Hickenlooper *
 Mr. Padilla *
 Mr. Gallego *

NAYS

Mr. Heinrich
 Ms. Cantwell
 Ms. Hirono *
 Ms. Cortez Masto *

* Indicates vote by proxy.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

Section 1 contains the short title, the University of Utah Research Park Act.

Section 2. Confirmation of use of certain non-Federal land in Salt Lake City, Utah, for valid public purposes

Section 2(a)(1) confirms as valid public purposes consistent with the requirements of the Recreation and Public Purposes Act (43 U.S.C. 869 et seq.) the use by the University of Utah of approximately 593.54 acres of land located in Salt Lake, Utah, as a university research park, as approved by a letter from the Secretary of the Interior to the University of Utah dated December 10, 1970, and any modifications of the approved plan of development and management for the land which were approved by the Department of the Interior prior to the date of enactment of this Act.

Paragraph (2) confirms any other uses of the land that are consistent with use as a university research park and related university purposes (including development of student housing and a transit hub) as valid public purposes consistent with the requirements of the R&PP Act.

Subsection (b) more specifically describes the approximately 593.54 acres of land conveyed in 1968 by the Department of the Interior to the University of Utah under the R&PP Act.

COST AND BUDGETARY CONSIDERATIONS

In accordance 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:

By Fiscal Year, Millions of Dollars		2026	2026-2030	2026-2035
Direct Spending (Outlays)		0	0	0
Revenues		0	0	0
Increase or Decrease (-) in the Deficit		0	0	0
Spending Subject to Appropriation (Outlays)		0	0	0
Increases <i>net direct spending</i> in any of the four consecutive 10-year periods beginning in 2036?	No	Statutory pay-as-you-go procedures apply?		No
		Mandate Effects		
Increases <i>on-budget deficits</i> in any of the four consecutive 10-year periods beginning in 2036?	No	Contains intergovernmental mandate?		No
		Contains private-sector mandate?		No

S. 1453 would confirm the acceptability of the University of Utah's ongoing use of a 594 acre parcel of land. In 1968, the Department of the Interior conveyed the land to the university under the condition that it be used for public purposes. The university established and is currently operating an academic research park on the land, which houses technology, education, and medical facilities. The bill also would allow the university to develop student housing and a transit hub on the land and to use the area for other purposes related to the research park. Because those uses would have no cost to the federal government, CBO estimates that enacting S. 1453 would have no effect on the federal budget.

On August 13, 2025, CBO transmitted a cost estimate for H.R. 2876, the University of Utah Research Park Act, as ordered reported by the House Committee on Natural Resources on June 25, 2025. The two bills are similar, and CBO's estimates of their budgetary effects are the same.

The CBO staff contact for this estimate is Katherine Chou. The estimate was reviewed by H. Samuel Papenfuss, Deputy Director of Budget Analysis.

PHILLIP L. SWAGEL,
Director, Congressional Budget Office.

On January 2, 2024, the Congressional Budget Office estimated legislation that was reported with an amendment in the 118th Congress and as reported with an amendment, is identical to S. 1453. The cost estimate is posted at www.cbo.gov.

On November 21, 2022, the Congressional Budget Office provided a table entitled "Summary Estimates of Legislation Ordered Reported" by the Committee during the 117th Congress. The table included a cost estimate for similar legislation in the 117th Congress, S. 3370. The table is posted at www.cbo.gov.

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out S. 1453. The bill is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses. No personal information would be collected in administering the program.

Therefore, there would be no impact on personal privacy. Little, if any, additional paperwork would result from the enactment of S. 1453, as ordered reported.

CONGRESSIONALLY DIRECTED SPENDING

S. 1453, as ordered reported, does not contain any congressionally directed spending items, limited tax benefits, or limited tariff benefits as defined in rule XLIV of the Standing Rules of the Senate.

EXECUTIVE COMMUNICATIONS

There were no hearings held on S. 1453 in the 119th Congress. There were no hearings held on S. 1260, similar legislation introduced in the 118th Congress. In the 117th Congress, the Committee held a hearing on S. 3370, similar legislation that was introduced by Senator Lee, on June 7, 2022. The testimony of the Department of the Interior on S. 3370 appears on page 36 of S. Hrg. 117–301.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by S. 1453 as ordered reported.

