

109TH CONGRESS
1ST SESSION

S. 1832

To authorize the Secretary of the Interior to lease oil and gas resources underlying Fort Reno, Oklahoma, to establish the Fort Reno Management Fund, and for other purposes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 6, 2005

Mr. INHOFE (for himself and Mr. COBURN) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To authorize the Secretary of the Interior to lease oil and gas resources underlying Fort Reno, Oklahoma, to establish the Fort Reno Management Fund, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Fort Reno Mineral
5 Leasing Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

1 (1) BOARD OF REGENTS.—The term “Board of
2 Regents” means the Board of Regents of the Uni-
3 versity of Oklahoma.

4 (2) FORT RENO HISTORIC DISTRICT.—The term
5 “Fort Reno Historic District” means the former
6 military installation at El Reno, Oklahoma, as de-
7 picted on the map, that—

8 (A) includes land and facilities listed on
9 the National Register of Historic Places in
10 June 1970; and

11 (B) is administered by the Secretary as
12 part of the Fort Reno Management Area.

13 (3) FORT RENO MANAGEMENT AREA.—The
14 term “Fort Reno Management Area” means the ap-
15 proximately 6,737 acres of Federal land, including
16 Fort Reno and the Park, as depicted on the map.

17 (4) FUND.—The term “Fund” means the Fort
18 Reno Management Fund established by section 4(a).

19 (5) MAP.—The term “map” means the map en-
20 titled “Fort Reno Management Area” and dated
21 September 2005.

22 (6) PARK.—The term “Park” means the ap-
23 proximately 24.3 acres of land in the State of Okla-
24 homa known as the “Fort Reno Science Park”, as
25 generally depicted on the map.

1 (7) PARK INSTRUMENT.—

2 (A) IN GENERAL.—The term “Park instru-
3 ment” means an instrument covering an agree-
4 ment between the Department of Agriculture
5 and the Board of Regents relating to the use of
6 the Park.

7 (B) INCLUSIONS.—The term “Park instru-
8 ment” includes—

9 (i) the master memorandum of under-
10 standing, dated August 19, 1998;

11 (ii) the supplements numbered 1 and
12 2, dated January 19, 1999;

13 (iii) the easement, dated January 19,
14 1999;

15 (iv) the amended easement deed,
16 dated February 24, 2004;

17 (v) a special warranty deed, dated
18 May 29, 2001; and

19 (vi) a memorandum of agreement,
20 dated February 24, 2004.

21 (8) SECRETARY.—The term “Secretary” means
22 the Secretary of the Interior.

23 **SEC. 3. FORT RENO MANAGEMENT AREA.**

24 (a) AUTHORIZATION BY CONGRESS REQUIRED FOR
25 DECLARATION AS EXCESS OR SURPLUS PROPERTY OR

1 CONVEYANCE.—Notwithstanding any other provision of
2 law, the Fort Reno Management Area, without specific au-
3 thorization by Congress, shall not, in whole or part—

4 (1) be declared to be excess or surplus Federal
5 property under subtitle I of title 40, United States
6 Code;

7 (2) be conveyed; or

8 (3) be transferred to the administrative juris-
9 diction of any other Federal agency.

10 (b) MINERAL LEASING.—

11 (1) IN GENERAL.—Notwithstanding the provi-
12 sions of the first section of the Mineral Leasing Act
13 of 1920 (30 U.S.C. 181) excluding Federal land in
14 incorporated cities from mineral leasing, the Sec-
15 retary may provide for mineral leasing at the Fort
16 Reno Management Area in accordance with that
17 Act, subject to such terms and conditions as the
18 Secretary of Agriculture determines to be appro-
19 priate to preserve and protect historic properties and
20 ongoing and prospective research activities.

21 (2) ENVIRONMENTAL ANALYSES.—After the
22 date of enactment of this Act, no further adminis-
23 trative or environmental analyses shall be required
24 for the leasing and development of minerals at the
25 Fort Reno Management Area.

1 (c) AVAILABILITY OF MAP.—The map shall be on file
2 and available for public inspection in—

3 (1) the office of the Administrator of the Agri-
4 cultural Research Center; and

5 (2) the office of the Director of the
6 Grazinglands Research Laboratory in El Reno,
7 Oklahoma.

8 (d) EFFECT.—Nothing in this section precludes the
9 Secretary of Agriculture from granting utilities or access
10 easements for, or issuing temporary permits for the use
11 of, the Fort Reno Management Area.

12 **SEC. 4. FORT RENO MANAGEMENT FUND.**

13 (a) ESTABLISHMENT.—There is established in the
14 Treasury of the United States a revolving fund, to be
15 known as the “Fort Reno Management Fund”, consisting
16 of—

17 (1) such amounts as are appropriated to the
18 Fund under subsection (b);

19 (2) such amounts as are deposited under sec-
20 tion 6(b)(1)(B); and

21 (3) any interest earned on investment of
22 amounts in the Fund under subsection (d).

23 (b) TRANSFERS TO FUND.—Notwithstanding section
24 35 of the Mineral Leasing Act (30 U.S.C. 191), there are
25 appropriated to the Fund amounts equivalent to amounts

1 received in the Treasury as proceeds from the leasing of
2 mineral resources at the Fort Reno Management Area
3 under section 3(b).

4 (c) EXPENDITURES FROM FUND.—

5 (1) IN GENERAL.—On request by the Secretary
6 of Agriculture, the Secretary of the Treasury shall
7 transfer from the Fund to the Administrator of the
8 Agricultural Research Service—

9 (A) such amounts as the Administrator de-
10 termines are necessary, but not more than a
11 total of \$22,000,000, to provide, with respect to
12 the Fort Reno Historic District—

13 (i) the restoration, maintenance, and
14 management of historic buildings and fa-
15 cilities;

16 (ii) the interpretation, education, and
17 visitor services and related activities in
18 connection with historic buildings and fa-
19 cilities;

20 (iii) the provision and maintenance of
21 facilities for utilities, waste management,
22 streets, visitor parking, and other improve-
23 ments necessary or desirable for providing
24 public and administrative services; and

1 (iv) to reimburse the Secretary for the
2 costs of administering a mineral leasing
3 program for the Fort Reno Management
4 Area under section 3(b).

5 (B) not more than \$250,000 for each fiscal
6 year, as adjusted under paragraph (4), to be
7 deposited in a repair and maintenance fund es-
8 tablished by the Secretary of Agriculture for the
9 Fort Reno Historic District.

10 (2) REDUCTION OF NATIONAL DEBT.—Any
11 amounts remaining in the Fund after the transfers
12 are made under subparagraphs (A) and (B) of para-
13 graph (1) shall be used to reduce the debt of the
14 United States.

15 (3) CONSULTATION.—In making expenditures
16 from the Fund under clauses (i), (ii), and (iii) of
17 paragraph (1)(A), the Administrator of the Agricul-
18 tural Research Service shall consult with—

19 (A) Historic Fort Reno, Inc., (or any suc-
20 cessors or assigns); and

21 (B) the Oklahoma State Historic Preserva-
22 tion Officer.

23 (4) INFLATION ADJUSTMENT.—For each fiscal
24 year, the amount specified in paragraph (1)(B) shall
25 be increased by 4 percent.

1 (d) INVESTMENT OF AMOUNTS.—

2 (1) IN GENERAL.—The Secretary of the Treas-
3 ury shall invest such portion of the Fund as is not,
4 in the judgment of the Secretary of the Treasury,
5 required to meet current withdrawals.

6 (2) INTEREST-BEARING OBLIGATIONS.—Invest-
7 ments may be made only in interest-bearing obliga-
8 tions of the United States.

9 (3) ACQUISITION OF OBLIGATIONS.—For the
10 purpose of investments under paragraph (1), obliga-
11 tions may be acquired—

12 (A) on original issue at the issue price; or

13 (B) by purchase of outstanding obligations
14 at the market price.

15 (4) SALE OF OBLIGATIONS.—Any obligation ac-
16 quired by the Fund may be sold by the Secretary of
17 the Treasury at the market price.

18 (5) CREDITS TO FUND.—The interest on, and
19 the proceeds from the sale or redemption of, any ob-
20 ligations held in the Fund shall be credited to and
21 form a part of the Fund.

22 (e) TRANSFERS OF AMOUNTS.—

23 (1) IN GENERAL.—The amounts required to be
24 transferred to the Fund under this section shall be
25 transferred at least monthly from the general fund

1 of the Treasury to the Fund on the basis of esti-
2 mates made by the Secretary of the Treasury.

3 (2) ADJUSTMENTS.—Proper adjustment shall
4 be made in amounts subsequently transferred to the
5 extent prior estimates were in excess of or less than
6 the amounts required to be transferred.

7 **SEC. 5. RATIFICATION OF FORT RENO SCIENCE PARK IN-**
8 **STRUMENT.**

9 (a) IN GENERAL.—The Park instrument is ratified.

10 (b) AMENDMENTS.—The Park instrument may only
11 be amended or revoked if the parties to the Park instru-
12 ment agree to the amendment or revocation.

13 **SEC. 6. LEASING AUTHORITY.**

14 (a) IN GENERAL.—The Secretary of Agriculture
15 may—

16 (1) lease to any person or entity any property
17 at the Fort Reno Management Area, subject to any
18 terms and conditions that the Secretary of Agri-
19 culture determines to be in the public interest;

20 (2)(A) if the Board of Regents agrees to the
21 conversion, convert to a lease, for no additional con-
22 sideration, the easements to the Park referred to in
23 section 2(5)(B); and

24 (B) extend the lease converted under subpara-
25 graph (A), subject to any terms and conditions that

1 the Secretary of Agriculture and the Board of Re-
2 gents agree to, including terms and conditions that
3 provide that—

4 (i) the initial term of the lease shall expire
5 on February 3, 2049; and

6 (ii) the lease may be renewable for addi-
7 tional 20-year terms.

8 (b) SPECIAL TERMS AND CONDITIONS.—

9 (1) CONSIDERATION.—

10 (A) IN GENERAL.—Subject to any terms
11 and conditions that the parties to the lease
12 agree to, consideration for a lease under sub-
13 section (a)(1) may be in the form of—

14 (i) conveyance to the Secretary of Ag-
15 riculture of title to any non-Federal struc-
16 tures of, or improvements to, the Fort
17 Reno Management Area;

18 (ii) repairs or renovations to struc-
19 tures of, or improvements to, the Fort
20 Reno Management Area, that are con-
21 ducted before or after the lease is entered
22 into;

23 (iii) cash; or

1 (iv) a combination of any of the forms
2 of consideration described in clauses (i)
3 through (iii).

4 (B) DISPOSITION IN FUND.—Any amount
5 received as consideration for a lease under sub-
6 paragraph (A) shall be deposited in the Fund.

7 (2) TERM.—

8 (A) IN GENERAL.—Except as provided in
9 subsection (a)(2)(B) and subparagraph (B), the
10 term of any lease shall be for not more than 20
11 years.

12 (B) RENEWAL.—Notwithstanding subpara-
13 graph (A), a lease may be renewed at the op-
14 tion of the parties, subject to any terms and
15 conditions that—

16 (i) the Secretary of Agriculture deter-
17 mines to be in the public interest; and

18 (ii) are agreed to by the parties to the
19 lease.

20 **SEC. 7. EFFECT.**

21 (a) IN GENERAL.—Nothing in this Act limits or
22 modifies the authority of the Secretary of Agriculture—

23 (1) to conduct research activities at the Fort
24 Reno Management Area; or

1 (2) to manage the Federal land under the juris-
2 diction of the Secretary of Agriculture for research
3 purposes.

4 (b) GRAZINGLANDS RESEARCH LABORATORY.—Des-
5 ignation of the Federal land at El Reno, Oklahoma, as
6 the Fort Reno Management Area does not affect the name
7 or operations of the Grazinglands Research Laboratory.

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