

111TH CONGRESS
1ST SESSION

H. R. 2210

To direct the Secretary of the Interior to convey to the Nevada System of Higher Education certain Federal land located in Clark and Nye Counties, Nevada, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 30, 2009

Mr. HELLER (for himself, Ms. BERKLEY, and Ms. TITUS) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To direct the Secretary of the Interior to convey to the Nevada System of Higher Education certain Federal land located in Clark and Nye Counties, Nevada, 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 “Southern Nevada
5 Higher Education Land Act of 2009”.

6 **SEC. 2. FINDINGS; PURPOSE.**

7 (a) FINDINGS.—Congress finds that—

1 (1) southern Nevada is one of the fastest grow-
2 ing regions in the United States, with 750,000 new
3 residents added since 2000 and 250,000 residents
4 expected to be added by 2010;

5 (2) the Nevada System of Higher Education
6 serves more than 71,000 undergraduate and grad-
7 uate students in southern Nevada, with enrollment
8 in the System expected to grow by 21 percent during
9 the next 10 years, which would bring enrollment to
10 a total of 85,000 students in the System;

11 (3) the Nevada System of Higher Education
12 campuses in southern Nevada comprise 1,200 acres,
13 one of the smallest land bases of any major higher
14 education system in the western United States;

15 (4) the University of Nevada, Las Vegas, with
16 27,903 students and 3,000 faculty and staff, is the
17 fourth fastest-growing research university in the
18 United States;

19 (5) the College of Southern Nevada—

20 (A) serves more than 41,000 students each
21 semester; and

22 (B) is near capacity at each of the 3 urban
23 campuses of the College;

24 (6) Pahrump, located in rural Nye County, Ne-
25 vada—

1 (A) has grown by 20 percent since 2000;
2 and

3 (B) has a small satellite campus of Great
4 Basin College to serve the 40,500 residents of
5 Pahrump, Nevada; and

6 (7) the Nevada System of Higher Education
7 needs additional land to provide for the future
8 growth of the System, particularly for the University
9 of Nevada, Las Vegas, the College of Southern Ne-
10 vada, and the Pahrump campus of Great Basin Col-
11 lege.

12 (b) PURPOSES.—The purposes of this Act are—

13 (1) to provide additional land for a thriving
14 higher education system that serves the residents of
15 fast-growing southern Nevada;

16 (2) to provide residents of the State with great-
17 er opportunities to pursue higher education and the
18 resulting benefits, which include increased earnings,
19 more employment opportunities, and better health;
20 and

21 (3) to provide communities in southern Nevada
22 the economic and societal values of higher education,
23 including economic growth, lower crime rates, great-
24 er civic participation, and less reliance on social
25 services.

1 **SEC. 3. DEFINITIONS.**

2 In this Act:

3 (1) BOARD OF REGENTS.—The term “Board of
4 Regents” means the Board of Regents of the Ne-
5 vada System of Higher Education.

6 (2) CAMPUSES.—The term “Campuses” means
7 the Great Basin College, College of Southern Ne-
8 vada, and University of Las Vegas, Nevada, cam-
9 puses.

10 (3) FEDERAL LAND.—The term “Federal land”
11 means each of the 3 parcels of Bureau of Land
12 Management land identified on the maps as “Parcel
13 to be Conveyed”, of which—

14 (A) approximately 40 acres is to be con-
15 veyed for the College of Southern Nevada;

16 (B) approximately 2,085 acres is to be
17 conveyed for the University of Nevada, Las
18 Vegas; and

19 (C) approximately 285 acres is to be con-
20 veyed for the Great Basin College.

21 (4) MAP.—The term “Map” means each of the
22 3 maps entitled “Southern Nevada Higher Edu-
23 cation Land Act”, dated July 11, 2008, and on file
24 and available for public inspection in the appropriate
25 offices of the Bureau of Land Management.

1 (5) SECRETARY.—The term “Secretary” means
2 the Secretary of the Interior.

3 (6) STATE.—The term “State” means the State
4 of Nevada.

5 (7) SYSTEM.—The term “System” means the
6 Nevada System of Higher Education.

7 **SEC. 4. CONVEYANCES OF FEDERAL LAND TO THE SYSTEM.**

8 (a) CONVEYANCES.—

9 (1) IN GENERAL.—Notwithstanding section 202
10 of the Federal Land Policy and Management Act of
11 1976 (43 U.S.C. 1712) and section 1(c) of the Act
12 of June 14, 1926 (commonly known as the “Recre-
13 ation and Public Purposes Act”) (43 U.S.C. 869(c))
14 and subject to all valid existing rights, the Secretary
15 shall—

16 (A) not later than 180 days after the date
17 of enactment of this Act, convey to the System,
18 without consideration, all right, title, and inter-
19 est of the United States in and to the Federal
20 land for the Great Basin College and the Col-
21 lege of Southern Nevada; and

22 (B) not later than 180 days after the re-
23 ceipt of certification of acceptable remediation
24 of environmental conditions existing on the par-
25 cel to be conveyed for the University of Nevada,

1 Las Vegas, convey to the System, without con-
2 sideration, all right, title, and interest of the
3 United States in and to the Federal land for
4 the University of Nevada, Las Vegas.

5 (2) PHASES.—The Secretary may phase the
6 conveyance of the Federal land under paragraph
7 (1)(B) as remediation is completed.

8 (b) CONDITIONS.—

9 (1) IN GENERAL.—As a condition of the con-
10 veyance under subsection (a)(1), the Board of Re-
11 gents shall agree in writing—

12 (A) to pay any administrative costs associ-
13 ated with the conveyance, including the costs of
14 any environmental, wildlife, cultural, or histor-
15 ical resources studies;

16 (B) to use the Federal land conveyed for
17 educational and recreational purposes;

18 (C) to release and indemnify the United
19 States from any claims or liabilities that may
20 arise from uses carried out on the Federal land
21 on or before the date of enactment of this Act
22 by the United States or any person;

23 (D) as soon as practicable after the date of
24 the conveyance under subsection (a)(1), to erect
25 at each of the Campuses an appropriate and

centrally located monument that acknowledges the conveyance of the Federal land by the United States for the purpose of furthering the higher education of the citizens in the State; and

(E) to assist the Bureau of Land Management in providing information to the students of the System and the citizens of the State on—

(i) public land (including the management of public land) in the Nation; and

(ii) the role of the Bureau of Land Management in managing, preserving, and protecting the public land in the State.

(2) AGREEMENT WITH NELLIS AIR FORCE BASE.—

(A) IN GENERAL.—As a precondition of the conveyance of the Federal land for the University of Nevada, Las Vegas under subsection (a)(1)(B), the Board of Regents shall enter into a binding interlocal agreement with Nellis Air Force Base to preserve the long-term capability of Nellis Air Force Base.

(B) REQUIREMENTS.—The interlocal agreement entered into under subparagraph (A)

1 and any related master plan shall require the
2 mutual assent of the parties to the agreement.

3 (C) LIMITATION.—In no case shall the use
4 of the Federal land conveyed under subsection
5 (a)(1)(B) compromise the national security mis-
6 sion or aviation rights of Nellis Air Force
7 Base.

8 (c) USE OF FEDERAL LAND.—

9 (1) IN GENERAL.—The System may use the
10 Federal land conveyed under subsection (a)(1) for—

11 (A) any purpose relating to the establish-
12 ment, operation, growth, and maintenance of
13 the System; and

14 (B) any uses relating to the purposes, in-
15 cluding residential and commercial development
16 that would generally be associated with an insti-
17 tution of higher education.

18 (2) OTHER ENTITIES.—The System may—

19 (A) consistent with Federal and State law,
20 lease, or otherwise provide property or space at,
21 the Campuses, with or without consideration, to
22 religious, public interest, community, or other
23 groups for services and events that are of inter-
24 est to the System or to any community located
25 in southern Nevada;

1 (B) allow any other communities in south-
2 ern Nevada to use facilities of the Campuses for
3 educational and recreational programs of the
4 community; and

5 (C) in conjunction with the city of Las
6 Vegas, North Las Vegas, or Pahrump or Clark
7 or Nye County plan, finance (including through
8 the provision of cost-share assistance), con-
9 struct, and operate facilities for the city of Las
10 Vegas, North Las Vegas, or Pahrump or Clark
11 or Nye County on the Federal land conveyed
12 for educational or recreational purposes con-
13 sistent with this section.

14 (d) REVERSION.—

15 (1) IN GENERAL.—If the Federal land or any
16 portion of the Federal land conveyed under sub-
17 section (a)(1) ceases to be used for the System, the
18 Federal land, or any portion of the Federal land
19 shall, at the discretion of the Secretary, revert to the
20 United States.

21 (2) UNIVERSITY OF NEVADA, LAS VEGAS.—If
22 the System fails to complete the first building or
23 show progression toward development of the Univer-
24 sity of Nevada, Las Vegas campus on the applicable
25 parcels of Federal land by the date that is 50 years

1 after the date of receipt of certification of acceptable
2 remediation of environmental conditions, the parcels
3 of the Federal land described in section 3(3)(B)
4 shall, at the discretion of the Secretary, revert to the
5 United States.

6 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

7 There are authorized to be appropriated such sums
8 as are necessary to carry out this Act.

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