

on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

### SOUTH UTAH VALLEY ELECTRIC CONVEYANCE ACT

Mr. HASTINGS of Washington. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 251) to direct the Secretary of the Interior to convey certain Federal features of the electric distribution system to the South Utah Valley Electric Service District, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 251

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "South Utah Valley Electric Conveyance Act".

#### SEC. 2. DEFINITIONS.

In this Act:

(1) **DISTRICT.**—The term "District" means the South Utah Valley Electric Service District, organized under the laws of the State of Utah.

(2) **ELECTRIC DISTRIBUTION SYSTEM.**—The term "Electric Distribution System" means fixtures, irrigation, or power facilities lands, distribution fixture lands, and shared power poles.

(3) **FIXTURES.**—The term "fixtures" means all power poles, cross-members, wires, insulators and associated fixtures, including substations, that—

(A) comprise those portions of the Strawberry Valley Project power distribution system that are rated at a voltage of 12.5 kilovolts and were constructed with Strawberry Valley Project revenues; and

(B) any such fixtures that are located on Federal lands and interests in lands.

(4) **IRRIGATION OR POWER FACILITIES LANDS.**—The term "irrigation or power facilities lands" means all Federal lands and interests in lands where the fixtures are located on the date of the enactment of this Act and which are encumbered by other Strawberry Valley Project irrigation or power features, including lands underlying the Strawberry Substation.

(5) **DISTRIBUTION FIXTURE LANDS.**—The term "distribution fixture lands" means all Federal lands and interests in lands where the fixtures are located on the date of the enactment of this Act and which are unencumbered by other Strawberry Valley Project features, to a maximum corridor width of 30 feet on each side of the centerline of the fixtures' power lines as those lines exist on the date of the enactment of this Act.

(6) **SHARED POWER POLES.**—The term "shared power poles" means poles that comprise those portions of the Strawberry Valley Project Power Transmission System, that are rated at a voltage of 46.0 kilovolts, are owned by the United States, and support fixtures of the Electric Distribution System.

(7) **SECRETARY.**—The term "Secretary" means the Secretary of the Interior.

#### SEC. 3. CONVEYANCE OF ELECTRIC DISTRIBUTION SYSTEM.

(a) **IN GENERAL.**—Inasmuch as the Strawberry Water Users Association conveyed its interest, if any, in the Electric Distribution System to the District by a contract dated

April 7, 1986, and in consideration of the District assuming from the United States all liability for administration, operation, maintenance, and replacement of the Electric Distribution System, the Secretary shall, as soon as practicable after the date of the enactment of this Act and in accordance with all applicable law convey and assign to the District without charge or further consideration—

(1) all of the United States right, title, and interest in and to—

(A) all fixtures owned by the United States as part of the Electric Distribution System; and

(B) the distribution fixture land;

(2) license for use in perpetuity of the shared power poles to continue to own, operate, maintain, and replace Electric Distribution Fixtures attached to the shared power poles; and

(3) licenses for use and for access in perpetuity for purposes of operation, maintenance, and replacement across, over, and along—

(A) all project lands and interests in irrigation and power facilities lands where the Electric Distribution System is located on the date of the enactment of this Act that are necessary for other Strawberry Valley Project facilities (the ownership of such underlying lands or interests in lands shall remain with the United States), including lands underlying the Strawberry Substation; and

(B) such corridors where Federal lands and interests in lands—

(i) are abutting public streets and roads; and

(ii) can provide access that will facilitate operation, maintenance, and replacement of facilities.

(b) **COMPLIANCE WITH ENVIRONMENTAL LAWS.**—

(1) **IN GENERAL.**—Before conveying lands, interest in lands, and fixtures under subsection (a), the Secretary shall comply with all applicable requirements under—

(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(B) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and

(C) any other law applicable to the land and facilities.

(2) **EFFECT.**—Nothing in this Act modifies or alters any obligations under—

(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); or

(B) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

(c) **POWER GENERATION AND 46KV TRANSMISSION FACILITIES EXCLUDED.**—Except for the uses as granted by license in Shared Power Poles under section 3(a)(2), nothing in this Act shall be construed to grant or convey to the District or any other party, any interest in any facilities shared or otherwise that comprise a portion of the Strawberry Valley Project power generation system or the federally owned portions of the 46 kilovolt transmission system which ownership shall remain in the United States.

#### SEC. 4. EFFECT OF CONVEYANCE.

On conveyance of any land or facility under section 3(a)(1)—

(1) the conveyed and assigned land and facilities shall no longer be part of a Federal reclamation project;

(2) the District shall not be entitled to receive any future Bureau or Reclamation benefits with respect to the conveyed and assigned land and facilities, except for benefits that would be available to other non-Bureau of Reclamation facilities; and

(3) the United States shall not be liable for damages arising out of any act, omission, or occurrence relating to the land and facilities,

including the transaction of April 7, 1986, between the Strawberry Water Users Association and Strawberry Electric Service District.

#### SEC. 5. REPORT.

If a conveyance required under section 3 is not completed by the date that is 1 year after the date of the enactment of this Act, not later than 30 days after that date, the Secretary shall submit to Congress a report that—

(1) describes the status of the conveyance;

(2) describes any obstacles to completing the conveyance; and

(3) specifies an anticipated date for completion of the conveyance.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Washington (Mr. HASTINGS) and the gentleman from Arizona (Mr. GRIJALVA) each will control 20 minutes.

The Chair recognizes the gentleman from Washington.

#### GENERAL LEAVE

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. HASTINGS of Washington. I yield myself as much time as I may consume.

Mr. Speaker, H.R. 251, sponsored by our colleague from Utah (Mr. CHAFFETZ) transfers the Federal title of an electricity distribution system to a local entity that already operates and maintains the system. This transfer resolves ownership uncertainty due to a Federal paperwork error, gives the local electricity provider equity to leverage capital investment, and reduces Federal liability and cost.

Congress has passed over two dozen similar transfers, including one in my district, the Yakima-Tieton transfer, under both Republican and Democrat majorities. The House passed this identical transfer bill by a voice vote in the last Congress due to its noncontroversial and commonsense nature. So I urge my colleagues to support its adoption once again.

I reserve the balance of my time.

Mr. GRIJALVA. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, H.R. 251, as indicated by the chairman, seeks to transfer title on portions of the South Utah Valley electric distribution system from the Bureau of Reclamation to the South Utah Valley Electric Service District.

Current reclamation law requires that title to reclamation projects, land, and facilities remain with the United States until specifically authorized by Congress. Similar legislation passed the House on suspension last Congress, and we have no objection to H.R. 251.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I'm very pleased to yield 3

minutes to the gentleman from Utah (Mr. CHAFFETZ), the sponsor of this legislation.

Mr. CHAFFETZ. Mr. Speaker, I want to thank the chairman and the ranking member here for their consideration. This is a good, commonsense bill. It passed out of the Congress last time, and I appreciate the bipartisan nature, particularly the gentleman from Arizona (Mr. GRIJALVA), for his positive words in the passage of this piece of legislation.

H.R. 251, the South Utah Valley Electric Conveyance Act, transfers title on certain portions of the electric distribution system operated by the South Utah Valley Electric Service District, SESD, from the Bureau of Reclamation to SESD. Local users repaid all applicable construction costs to the Federal Government decades ago.

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This bill, H.R. 251, is needed because in order to become more efficient and more effective, ownership needs to be transferred. The system is part of the larger Strawberry Valley Project, which began in 1906.

This title transfer benefits the Federal taxpayers and the local communities that use the system. The transfer of title will divest the Bureau of Reclamation of Federal liability while providing SESD greater autonomy and flexibility to manage facilities in a manner that best meets its needs.

H.R. 251 is consistent with existing Federal policy, and since 1996, as the chairman mentioned, there have been roughly 27 Bureau of Reclamation projects to local entities that have gone through this transfer type of process. An identical bill, H.R. 461, passed in the House in the 112th Congress by voice vote, passed this September 23 of 2011.

I urge my colleagues to vote "yes." I appreciate, again, the good work on both sides of the aisle to help pass this, and I urge a "yes" vote.

Mr. HASTINGS of Washington. Mr. Speaker, I have no further requests. If the gentleman from Arizona is prepared to yield back, I'm prepared to yield back.

Mr. GRIJALVA. Thank you, Mr. Chairman. I yield back the balance of my time.

Mr. HASTINGS of Washington. I yield back the balance of my time and urge adoption of the legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. HASTINGS) that the House suspend the rules and pass the bill, H.R. 251.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. HASTINGS of Washington. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further pro-

ceedings on this motion will be postponed.

#### FRUIT HEIGHTS LAND CONVEYANCE ACT

Mr. HASTINGS of Washington. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 993) to provide for the conveyance of certain parcels of National Forest System land to the city of Fruit Heights, Utah.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 993

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Fruit Heights Land Conveyance Act".

#### SEC. 2. DEFINITIONS.

In this Act:

(1) CITY.—The term "City" means the city of Fruit Heights, Utah.

(2) MAP.—The term "map" means the map entitled "Proposed Fruit Heights City Conveyance" and dated September 13, 2012.

(3) NATIONAL FOREST SYSTEM LAND.—The term "National Forest System land" means the approximately 100 acres of National Forest System land, as depicted on the map.

(4) SECRETARY.—The term "Secretary" means the Secretary of Agriculture.

#### SEC. 3. CONVEYANCE OF CERTAIN LAND TO THE CITY OF FRUIT HEIGHTS, UTAH.

(a) IN GENERAL.—The Secretary shall convey to the City, without consideration, all right, title, and interest of the United States in and to the National Forest System land.

(b) SURVEY.—

(1) IN GENERAL.—If determined by the Secretary to be necessary, the exact acreage and legal description of the National Forest System land shall be determined by a survey approved by the Secretary.

(2) COSTS.—The City shall pay the reasonable survey and other administrative costs associated with a survey conducted under paragraph (1).

(c) EASEMENT.—As a condition of the conveyance under subsection (a), the Secretary shall reserve an easement to the National Forest System land for the Bonneville Shoreline Trail.

(d) USE OF NATIONAL FOREST SYSTEM LAND.—As a condition of the conveyance under subsection (a), the City shall use the National Forest System land only for public purposes.

(e) REVERSIONARY INTEREST.—In the quitclaim deed to the City for the National Forest System land, the Secretary shall provide that the National Forest System land shall revert to the Secretary, at the election of the Secretary, if the National Forest System land is used for other than a public purpose.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Washington (Mr. HASTINGS) and the gentleman from Arizona (Mr. GRIJALVA) each will control 20 minutes.

The Chair recognizes the gentleman from Washington.

#### GENERAL LEAVE

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 993, introduced by our distinguished subcommittee chairman, Mr. BISHOP of Utah, would authorize the Secretary of Agriculture to convey approximately 100 acres of National Forest System land to the city of Fruit Heights in Utah. Fruit Heights is completely surrounded by Federal land and is in desperate need of a place to develop a cemetery. This legislation would convey a small parcel of Federal land for that important public service.

I urge my colleagues to support this bill, and I reserve the balance of my time.

Mr. GRIJALVA. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, H.R. 993 would transfer 100 acres of Forest Service land to Fruit Heights, Utah, at no cost to the city, for use as a cemetery. 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 obviously not ideal for Federal taxpayers to give away land that was purchased with Federal money just 11 years ago. However, the bill makes clear that should the land ever be used for anything other than a public purpose, the parcel will come back to Federal ownership.

We do not object to H.R. 993, and I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I'm very pleased to yield 4 minutes to the author of this legislation, the gentleman from Utah (Mr. BISHOP).

Mr. BISHOP of Utah. Fruit Heights, Utah, is a city of around 5,000 people. In the center of Davis County to the east are the mountains which are owned by the Forest Service. Surrounding it to the south is the city of Farmington, which has a landlocked cemetery and only allows Farmington residents to be buried there. On the west and the north is Kaysville and Layton, which has a cemetery which faces the same situation and is restricting who can be buried there, as well.

Fruit Heights really has a significant problem. The only way they can go is east, up the mountain, on land that is currently owned by the Forest Service but is within the boundaries of Fruit Heights itself. So on this map, the brown, barren area without trees is what's owned by the Forest Service. Totally surrounding the Forest Service land are houses, and only residential roads can get up to this particular area. Running through the middle, blasted in there, is a canal which will be preserved for canal use and be dedicated to that. Above it, the area that is above that, still within the city of