

exchange, transfer, trade, mine, or simply preserve land. The appropriate acreage to be held under Federal dominance is not the subject of this bill. Turning to the power of Article IV, §3, the Supreme Court has described this enumerated grant as one “without limitation” Kleppe v. New Mexico, 426 U.S. 529, 542-543 (1976) (“And while the furthest reaches of the power granted by the Property Clause have not yet been definitively resolved, we have repeatedly observed that ‘[t]he power over the public land thus entrusted to Congress is without limitations’.” Citing United States v. San Francisco, 310 U.S. 29. The Court in Kleppe further explained that “In short, Congress exercises the powers both of a proprietor and of a legislature over the public domain.” Id. Like any “proprietor” Congress has the power to sell or exchange federal property.

It is now generally accepted that the Federal Government may own and manage property in the manner and form mandated by Congress. United States v. Gratiot, 39 U.S. 526 (1840); Camfield v. United States, 167 U.S. 518 (1897). However, the wisdom of the Federal Government owning large tracts of land, particularly in the Western States, is subject to question on policy grounds, and some contend on Constitutional grounds based on the decision in Pollard’s Lessee v. Hagan, 44 U.S. 212 (where the Court stated that “a proper examination of this subject will show that the United States never held any municipal sovereignty, jurisdiction, or right of soil in and to the territory of which Alabama or any of the new States were formed, except for temporary purposes . . .”). Historically, the early federal government transferred ownership of federal property to either private ownership or to state ownership in order to pay off the then crushing Revolutionary War debts and to assist with the development of infrastructure. These are still acceptable goals for federal property sale or transfer.

The land exchange here is one that comports with good policy and constitutional strictures since by exchanging the land set forth in this bill, a large commercial grade copper mine will be able to proceed with the attendant economic benefits with which such a proposition inures (assuming compliance with other requirements set forth in the bill), but the Federal Government also gains equally valuable land that has significance for other purposes.

Article 1, §§8, Cl. 17 addresses property ceded by a state and conveys exclusive regulatory federal jurisdiction over these federal properties and enclaves. Section 8, Cl. 17 may also provide some guidance here to the extent it grants Congress the power to “exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards and other needful Buildings.” But it is Article IV that this bill is grounded upon.

By Mr. ROYCE:

H.R. 688.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8, Clause 3 of the U.S. Constitution to regulate commerce.

By Mr. BLUMENAUER:

H.R. 689.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution (relating to the general Welfare of the United States).

By Mr. LATHAM:

H.R. 690.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the United States Constitution (clauses 12, 13, 14, 16, and 18),

which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; to provide for organizing, arming, and disciplining the militia; and to make all laws necessary and proper for carrying out the foregoing powers.

By Mr. GEORGE MILLER of California:

H.R. 691.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 & 18 of Section 8, Article I, of the U.S. Constitution

By Mr. BARLETTA:

H.R. 692.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation, the Protecting Department of Homeland Security Personnel Act of 2013, pursuant to the following:

This bill makes changes to existing law relating to “Article 1 Section 8 of the U.S. Constitution Clause 18.”

By Mr. PITTS:

H.R. 693.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: The Congress shall have Power to regulate Commerce with foreign Nations, and among the several States, and with the Indian tribes.

By Ms. SCHAKOWSKY:

H.R. 694.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. DENHAM:

H.R. 695

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 1 (relating to providing for the common defense and general welfare of the United States) and Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress).

By Mr. HORSFORD:

H.R. 696.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8

By Mr. HECK of Nevada:

H.R. 697.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

By Mrs. CAPPS:

H.R. 698.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the United States Constitution.

By Mr. VAN HOLLEN:

H.R. 699.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1; Article 1 Section 8, Clause 18; and Article 1, Section 9, Clause 7 of the U.S. Constitution.

By Mr. GEORGE MILLER of California:

H.R. 700.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. McHENRY:

H.R. 701.

Congress has the power to enact this legislation pursuant to the following:

Article One, Section Eight.

By Mr. BRALEY of Iowa:

H.R. 702.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. CARNEY:

H.R. 703.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the Constitution;

Clause 18 of Section 8 of Article I of the Constitution; and

Clause 2 of Section 3 of Article IV of the Constitution.

By Mr. CARTER:

H.R. 704.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution clause 14, which grants Congress the power to make Rules for the Government and Regulation of the land and naval Forces.

By Mr. CARTER:

H.R. 705.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution clause 14, which grants Congress the power to make Rules for the Government and Regulation of the land and naval Forces.

By Mr. CICILLINE:

H.R. 706

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8

By Mr. CRAWFORD:

H.R. 707.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article 1 of the United States Constitution.

The Congress shall have the Power . . . To establish an uniform Rule of Naturalization . . .

By Mr. DOYLE:

H.R. 708.

Congress has the power to enact this legislation pursuant to the following:

Article 6—Clause 2

All Debts contracted and Engagements entered into, before the Adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.

By Mr. ELLISON:

H.R. 709.

Congress has the power to enact this legislation pursuant to the following:

Art. I, Sec. 8, Clauses 3 and 18.

By Mr. FARR:

H.R. 710.

Congress has the power to enact this legislation pursuant to the following:

Article I, Sec. 8 [“to regulate commerce”], and Amendment IV [“to be secure . . . against unreasonable searches and seizures”], and

Amendment VI [“the accused shall . . . have compulsory process for obtaining witnesses in his favor . . .”].

By Ms. FOXX:

H.R. 711.

Congress has the power to enact this legislation pursuant to the following:

Because the legislation would change the formula for government contracts on federal-aid highway and public construction transportation projects, it is authorized under clause 1 of section 8 of article 1 of the Constitution which states “[t]he Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.”

By Mr. FRELINGHUYSEN:

H.R. 712.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Mr. GERLACH:

H.R. 713.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. GRIMM:

H.R. 714.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4

The Congress shall have Power *** To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States.

By Mr. HASTINGS of Florida:

H.R. 715.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article 1 of the Constitution

By Ms. HERRERA BEUTLER:

H.R. 716.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. HONDA:

H.R. 717.

Congress has the power to enact this legislation pursuant to the following:

section 8 of article I of the Constitution.

By Mr. HULTGREN:

H.R. 718.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8, Article 1 of the Constitution—Congress shall have the power to regulate commerce. . . among the several states. . .

By Mr. KING of New York:

H.R. 719.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. KING of New York:

H.R. 720.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 6

The Congress shall have Power . . . To make all Laws which shall be necessary and proper for carrying into Execution the fore-

going Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Ms. JENKINS:

H.R. 721.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8:

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. KING of New York:

H.R. 722.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 6

The Congress shall have Power . . . To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. LANGEVIN:

H.R. 723.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, Clause 1 and Article IV, section 3 of the Constitution of the United States grant Congress the authority to enact this bill.

By Mr. LATTA:

H.R. 724.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, cl. 3

The Congress shall have the power . . . to regulate commerce with foreign nations, and among the states, and with Indian Tribes;

By Ms. LEE of California:

H.R. 725.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. BEN RAY LUJÁN of New Mexico:

H.R. 726.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. BEN RAY LUJÁN of New Mexico:

H.R. 727.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 728.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article I of the Constitution.

By Mr. McDERMOTT:

H.R. 729.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, clause 1

By Mr. MULVANEY:

H.R. 730.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 14. “To make Rules for the Government and Regulation of the land and naval Forces.”

Article I, Section 8, Clause 18. “To make all Laws which shall be necessary and proper for carrying into Execution the foregoing

Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.”

This bill provides rules for the Government, specifically, for the Wildlife Services program of the Animal and Plant Health Inspection Service. This law is necessary and proper for carrying out the power to make rules for the proper operation of a division of the government of the United States.

By Mr. RADEL:

H.R. 731.

Congress has the power to enact this legislation pursuant to the following:

This law is enacted pursuant to the following provisions of the United States Constitution:

Article 1, Section 8, Clause 3; Article 1, Section 8, Clause 14; Article 1, Section 8, Clause 18;

By Ms. ROS-LEHTINEN:

H.R. 732.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. RUNYAN:

H.R. 733.

Congress has the power to enact this legislation pursuant to the following:

Title I, Section 8

By Mr. STIVERS:

H.R. 734.

Congress has the power to enact this legislation pursuant to the following:

Congress’ power to regulate Commerce with foreign Nations under Article I, Section 8, Clause 3 of the U.S. Constitution.

By Mr. THOMPSON of Mississippi:

H.R. 735.

Congress has the power to enact this legislation pursuant to the following:

The U.S. Constitution, including Article 1, Section 8.

By Mr. WELCH:

H.R. 736.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18: The Congress shall have Power To . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Ms. WILSON of Florida:

H.R. 737.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. WILSON of South Carolina:

H.R. 738.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. WITTMAN:

H.R. 739.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution of the United States grants Congress the authority to enact this bill.

By Mr. YOUNG of Alaska:

H.R. 740.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 and Article 1, Section 8, Clause 3.

By Mr. NOLAN:

H.J. Res. 29.