



Legislative Bulletin.....November 13, 2014

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**H. R. 5167 – To direct the Administrator of General Services, on behalf of the Secretary of the Interior, to convey certain Federal property located in the National Petroleum Reserve in Alaska to the Olgoonik Corporation, an Alaska Native Corporation established under the Alaska Native Claims Settlement Act.
(Rep. Young, R-AK)**

Order of Business: The bill is scheduled to be considered on November 13, 2014, under a motion to suspend the rules and pass the bill, which requires a two-thirds majority for passage.

Summary: [H.R. 5167](#) would direct the Administrator of General Services to convey certain Federal property located in the National Petroleum Reserve in Alaska to the Olgoonik Corporation, an Alaska Native Corporation established under the [Alaska Native Claims Settlement Act](#).

The bill mandates that not later than 180 days after the bill’s enactment and after the completion of an appraisal, the Secretary of the Interior shall convey to the Olgoonik Corporation all right, title, and interest of the United States in and to a parcel of real property of approximately 1,518 acres and improvements comprising a former Distant Early Warning Line site in the National Petroleum Reserve in Alaska near Wainwright, Alaska. The Corporation shall pay to the Secretary of Interior an amount not less than the fair market value of the conveyed property determined by an appraisal that is conducted by a licensed, independent, and approved appraiser.

Additional Information: An identical version of the bill ([S. 2684](#)) has been introduced in the Senate. The Department of the Interior’s testimony on H. R. 5167 can be found [here](#).

Committee Action: The bill was introduced on July 22, 2014, and was referred to the House Committee on Natural Resources. On September 18, 2014, the Committee held a markup of the bill and ordered it reported (amended) by unanimous consent.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: Based on information provided by the Bureau of Land Management (BLM), the Congressional Budget Office (CBO) estimates that enacting the bill would increase offsetting receipts, which are treated as reductions in direct spending, by \$1 million in 2015. Because enacting the bill would affect direct spending, pay-as-you-go procedures apply. Enacting the bill would not affect revenues. Based on information provided by BLM, CBO expects that, under current law, the affected lands, which are located in the National Petroleum Reserve in Alaska and surrounded by lands owned by the Olgoonik Corporation, would not generate offsetting receipts over the next 10 years. Under the bill, the Olgoonik Corporation would be required to pay fair market value to purchase the affected lands. Based on information regarding the value of similar lands located in remote portions of Alaska, CBO estimates that the affected lands would be worth between \$500 and \$1,000 per acre, and estimates that the sale of those lands would increase offsetting receipts by about \$1 million in 2015. The CBO estimate can be found [here](#).

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: The bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act. The land conveyance authorized by the bill would benefit the Olgoonik Corporation.

Constitutional Authority: Congress has the power to enact this legislation pursuant to the following: Article IV, Section III, Clause II.

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H. R. 3326 – Trinity County Land Exchange Act of 2014, as amended. (Rep. Huffman, D-CA)

Order of Business: The bill is scheduled to be considered on November 13, 2014, under a motion to suspend the rules and pass the bill, which requires a two-thirds majority for passage.

Summary: [H.R. 3326](#) would provide for an exchange of land between the United States and the Trinity Public Utilities District of Trinity County, California, involving a parcel of National Forest System land in Shasta-Trinity National Forest. The bill requires the Trinity Public Utilities District to convey approximately 47 acres of land to the Secretary of Interior. In exchange, the Secretary of Agriculture will convey to the Utilities District, approximately 100

acres land in the Shasta-Trinity National Forest not later than one year after the date of enactment of the Act.

The exact acreage and legal description of the parcels of land shall be determined by a survey satisfactory to the Secretary of the Interior and the Secretary of Agriculture. The Utilities District shall pay the costs associated with the surveys, the appraisals, and any other reasonable administrative or remediation cost determined by the Secretary of Agriculture.

Additional Information: More on the Trinity County land exchange can be found [here](#).

Committee Action: The bill was introduced on October 23, 2013, and was referred to the House Committee on Natural Resources. On September 18, 2014, the Committee held a markup of the bill and ordered it reported (amended) by unanimous consent.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: Based on information provided by the Forest Service, the Congressional Budget Office (CBO) estimates that implementing the legislation would increase offsetting receipts, which are treated as reductions in direct spending; therefore, pay-as-you-go procedures apply. However, they estimate that any increase in receipts under the bill would not be significant. Enacting H.R. 3326 would not affect revenues.

Under the bill, if the value of the federal lands that would be conveyed exceeds the value of the lands the Forest Service would receive, the Secretary of the Interior could accept a cash payment of any size to equalize the values of the properties. Under current law, the Secretary can only exchange federal lands within a national forest for nonfederal lands located within that forest and cannot accept a cash equalization payment greater than 25 percent of the value of the federal lands exchanged.

Formal appraisals of the properties that are the subject of this legislation have not been completed. Based on information provided by the Forest Service, CBO estimates that the affected lands have similar values (roughly \$3,000 per acre); however, because the Forest Service would convey twice as much acreage as it would receive under the bill, CBO estimates that the Utilities District would pay the Forest Service about \$150,000 in 2015. Those amounts would be deposited in the U.S. Treasury as offsetting receipts. In addition, under the bill, the Utilities District would be responsible for any administrative costs associated with the conveyance. The CBO estimate can be found [here](#).

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: H.R. 3326 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would benefit the Trinity Public Utilities District in California. Any costs to the district resulting from the land exchange would be incurred voluntarily.

Constitutional Authority: Congress has the power to enact this legislation pursuant to the following: 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.

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H. R. 4846 – Arapaho National Forest Boundary Adjustment Act of 2014 (Rep. Polis, D-CO)

Order of Business: The bill is scheduled to be considered on November 13, 2014, under a motion to suspend the rules and pass the bill, which requires a two-thirds majority for passage.

Summary: [H.R. 4846](#) would modify the boundary of the Arapaho National Forest in Colorado to include an additional 92.95 acres of land. The Secretary of Agriculture shall include all Federal land within the boundary described in the bill in the Bowen Gulch Protection Area established under section 6 of the [Colorado Wilderness Act of 1993](#) (16 U.S.C. 539j).

The Secretary of Agriculture is only authorized to acquire non-Federal lands within the boundary by donation or exchange. Nothing in the bill opens privately-owned lands within the boundary to public motorized use.

Additional Information: More on the Arapaho National Forest Boundary Adjustment can be found [here](#).

Committee Action: The bill was introduced on June 11, 2014, and was referred to the House Committee on Natural Resources. On September 18, 2014, the Committee held a markup of the bill and ordered it reported (amended) by unanimous consent.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: Based on information provided by the Forest Service, the Congressional Budget Office (CBO) estimates that implementing the legislation would have no significant effect on the federal budget. CBO expects that any additional costs to revise brochures, maps, and signs to reflect the new boundary would not be significant because such revisions would take place in conjunction with scheduled reprinting and routine maintenance. Because enacting H.R. 4846 would not affect direct spending or revenues, pay-as-you-go procedures do not apply. The CBO estimate can be found [here](#).

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: H.R. 4846 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.

Constitutional Authority: Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, Clause 1 (relating to the power of Congress to provide for the 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) Article IV, Section 3, Clause 2, (relating to the power of Congress to dispose of and make all needful rules and regulations respecting territory or other property belonging to the United States).

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H. R. 4867 – Economic Development Through Tribal Land Exchange Act (Rep. Ruiz, D-CA)

Order of Business: The bill is scheduled to be considered on November 13, 2014, under a motion to suspend the rules and pass the bill, which requires a two-thirds majority for passage.

Summary: [H.R. 4867](#) authorizes the exchange of interests in lands between the Morongo Band of Mission Indians, a private non-Indian landowner Lloyd A. Fields, and the city of Banning, California. Under H.R. 4867, the Morongo Tribe and Secretary of the Interior are authorized to convey 41 acres of land currently held in trust for the tribe to Mr. Fields. The Secretary of the Interior is also authorized to acquire the 41 acres of land currently owned by Mr. Fields within the reservation, and to place the land in federal trust for the benefit of the tribe. The bill additionally authorizes the City of Banning and tribe to exchange small parcels of lands and public easements (concerning less than two acres) to consolidate the reservation and to meet the public needs of the city.

Additional Information: The report (H. Rept. 113-606) accompanying H.R. 4867 can be found [here](#). An identical bill ([S. 2847](#)) was introduced in the Senate on September 17, 2014. A list of cosponsors for H.R. 4867 can be found [here](#).

Committee Action: The bill was introduced on June 12, 2014, and was referred to the House Committee on Natural Resources. On July 30, 2014, the Committee held a markup of the bill and ordered it to be reported (amended) by Unanimous Consent. On September 19, 2014, the bill was placed on the Union Calendar.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: The Congressional Budget Office (CBO) estimates that implementing the bill would have no significant effect on the federal budget. Enacting H.R. 4867 would not affect

direct spending or revenues; therefore, pay-as-you-go procedures do not apply. The CBO estimate can be found [here](#).

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: H.R. 4687 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.

Constitutional Authority: Congress has the power to enact this legislation pursuant to the following: clause 18 of section 8 of article I of the Constitution.

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