

POWELL SHOOTING RANGE LAND CONVEYANCE ACT

SEPTEMBER 10, 2013.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. HASTINGS of Washington, from the Committee on Natural Resources, submitted the following

R E P O R T

[To accompany S. 130]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (S. 130) to require the Secretary of the Interior to convey certain Federal land to the Powell Recreation District in the State of Wyoming, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of S. 130 is to require the Secretary of the Interior to convey certain Federal land to the Powell Recreation District in the State of Wyoming.

BACKGROUND AND NEED FOR LEGISLATION

The town of Powell is located in Park County, in northwestern Wyoming. Since 1980, the Powell Recreation District has used approximately 322 acres of public land as a public shooting range. Because the lands are located within the boundaries of an irrigation district, they were presumed to be under the jurisdiction of the Bureau of Reclamation. The Bureau issued the original lease for the shooting range in 1980 and a renewal in 2007. Recently, it was determined that the lands are actually administered by the Bureau of Land Management (BLM).

In October 2005, the recreation district applied for a transfer of the land under the Recreation and Public Purposes Act (RPPA, 43 U.S.C. 869 et seq.). The land, however, had not been identified by BLM as appropriate for conveyance under the RPPA, and the Department of the Interior concluded that it does not have authority

to administratively transfer the land under the RPPA because the land is contaminated with lead.

S. 130 directs the Secretary of the Interior to convey the 322 acres to the Powell Recreation District for continued use as a shooting range, or for any other public purpose allowed under the RPPA. The conveyance is to be made at no cost, but the District is required to pay for any administrative costs associated with the conveyance.

The land is conveyed subject to reversionary terms requiring its continued use for a public purpose. This appears unnecessary considering the subsurface estate is already owned by the State of Wyoming and the site's hazardous substance contamination that required a liability release and prevented a RPPA conveyance in the first place. This provision may be of no consequence, however, since the shooting range is intended to be permanent.

#### COMMITTEE ACTION

S. 130 was introduced on January 24, 2013, by Senator Michael Enzi (R-WY). On June 19, 2013, the bill passed the Senate by unanimous consent without amendment. The bill was then referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on Public Lands and Environmental Regulation. On July 19, 2013, the Subcommittee held a hearing on the bill. On July 24, 2013, the full Resources Committee met to consider S. 130. The Subcommittee on Public Lands and Environmental Regulation was discharged by unanimous consent. No amendments were offered and the bill was adopted and ordered favorably reported to the House of Representatives by unanimous consent.

#### COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Natural Resources' oversight findings and recommendations are reflected in the body of this report.

#### COMPLIANCE WITH HOUSE RULE XIII

1. Cost of Legislation. Clause 3(d)(1) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out this bill. However, clause 3(d)(2)(B) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974. Under clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for this bill from the Director of the Congressional Budget Office:

#### *S. 130—Powell Shooting Range Land Conveyance Act*

S. 130 would require the Bureau of Land Management (BLM) to convey 322 acres of federal land near Powell, Wyoming, to the Powell Recreation District. Based on information provided by BLM,

CBO estimates that implementing the legislation would have no significant impact on the federal budget. Enacting S. 130 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

The act would require BLM to convey the affected lands, without consideration, to the Powell Recreation District, which currently operates a shooting range on those lands. Because the act requires the district to pay all administrative costs associated with the conveyance, CBO estimates that implementing S. 130 would have no significant impact on discretionary spending. In addition, the affected lands are not expected to generate receipts over the next 10 years under current law.

S. 130 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.

On April 1, 2013, CBO transmitted a cost estimate for S. 130 as ordered reported by the Senate Committee on Energy and Natural Resources on March 14, 2013. The two versions of this legislation are identical, and the CBO cost estimates are the same.

The CBO staff contact for this estimate is Jeff LaFave. The estimate was approved by Theresa Gullo, Deputy Assistant Director for Budget Analysis.

2. Section 308(a) of Congressional Budget Act. As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures. Based on information provided by BLM, CBO estimates that implementing the legislation would have no significant impact on the federal budget.

3. General Performance Goals and Objectives. As required by clause 3(c)(4) of rule XIII, the general performance goal or objective of this bill is to require the Secretary of the Interior to convey certain Federal land to the Powell Recreation District in the State of Wyoming.

#### EARMARK STATEMENT

This bill does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined under clause 9(e), 9(f), and 9(g) of rule XXI of the Rules of the House of Representatives.

#### COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

#### COMPLIANCE WITH H. RES. 5

Directed Rule Making. The Chairman does not believe that this bill directs any executive branch official to conduct any specific rule-making proceedings.

Duplication of Existing Programs. This bill does not establish or reauthorize a program of the federal government known to be duplicative of another program. Such program was not included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111-139 or identified in the most recent Catalog of Federal Domestic Assistance published pur-

suant to the Federal Program Information Act (Public Law 95–220, as amended by Public Law 98–169) as relating to other programs.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

CHANGES IN EXISTING LAW

If enacted, this bill would make no changes in existing law.

