

PROVIDING FOR THE CONVEYANCE OF NATIONAL
FOREST SYSTEM LAND IN THE STATE OF LOUISIANA

SEPTEMBER 10, 2009.—Committed to the Committee of the Whole House on the
State of the Union and ordered to be printed

Mr. PETERSON, from the Committee on Agriculture,
submitted the following

R E P O R T

[To accompany H.R. 940]

[Including cost estimate of the Congressional Budget Office]

The Committee on Agriculture, to whom was referred the bill (H.R. 940) to provide for the conveyance of National Forest System land in the State of Louisiana, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

BRIEF EXPLANATION

H.R. 940 provides for the conveyance of National Forest System land in the State of Louisiana.

PURPOSE AND NEED

H.R. 940 authorizes the sale of certain federally owned land in the Kisatchie National Forest in Louisiana. The Secretary of Agriculture is given the authority to sell two parcels of land consisting of 50.08 acres—which includes 47.92 acres containing campsites plus an adjoining 2.16 acre parcel of land that also contains campsites.

The Forest Service is interested in the sale of this land so it will no longer be obligated to provide maintenance to the area that the campsites occupy.

Money from the sale will be placed in account for Forest Service to purchase additional land in Kisatchie National Forest in the future.

SECTION-BY-SECTION

Section 1. Findings and definitions

Provides that Congress finds it is in the public interest to authorize the sale, for market value consideration, certain federally owned land located in the Kisatchie National Forest in Louisiana.

Defines “Collins Camp Properties” to mean Collins Camp Properties, Inc., a corporation existing under the laws of the State of Louisiana.

Defines “Secretary” to mean the Secretary of Agriculture.

Section 2. Authorization to sell land

Authorizes the Secretary to sell, by quitclaim deed, at a public or private sale, including by competitive sale by auction, bid, or otherwise: (1) all federally owned lands within section 9, Township 10 North, Range 5 West, in Winn Parish, Louisiana; and (2) a parcel of land consisting of 2.16 acres in Winn Parish, Louisiana.

Authorizes the Secretary, for a period of one year after the date of enactment of the legislation, upon tender of consideration from Collins Camp Properties, to sell to the corporation all right, title and interest of the United States in: (1) up to 47.92 acres located within section 9; and (2) the 2.16 acre parcel.

Provides the Secretary with the discretion to configure the lands to maximize their marketability or achieve management objectives; the Secretary may prescribe such terms and conditions on the land sales as would be deemed in the public interest.

Mandates that the land sales are to be for cash consideration equal to the market value of the land.

Requires that the market value of the land to be sold is to be determined by an appraisal that is approved by the Secretary and conforms with the Universal Appraisal Standards for Federal Land Acquisition; or, if the land is not sold to Collins Camp Properties, as outlined in the legislation, provides that market value can be determined by competitive sale.

Mandates that, with respect to any disposal of the lands, the Secretary must meet disclosure requirements for hazardous substances; however, the Secretary is not required to either remediate or abate those substances.

Section 3. Proceeds from the sale of land

Requires that the consideration received by the Secretary for the sale of the lands are to be deposited in a Treasury account established by the Sisk Act.

Monies deposited in the Treasury account are to be made available until expended, without further appropriation, for the acquisition of lands and interests in land in the Kisatchie National Forest.

Section 4. Miscellaneous provisions

Authorizes the Secretary to require Collins Camp Properties to pay, at closing, the reasonable costs of appraisal and any administrative and environmental analyses required by law or regulation.

Requires an offer by Collins Camp Properties to be accompanied by written statements from holders of Forest Service special use authorizations agreeing to relinquish their authorizations upon a sale to the corporation; for any holder not providing a written au-

thorization, the Secretary is authorized to require Collins Camp Properties to administer the authorization according to its terms until the date of expiration.

COMMITTEE CONSIDERATION

The Committee on Agriculture met, pursuant to notice, with a quorum present, on July 29, 2009, to consider H.R. 940 and other pending legislation.

Members were recognized and each made a statement in support of the legislation.

There being no amendments, Mr. Lucas moved that H.R. 940 be reported favorably to the House with the recommendation that it do pass.

By a voice vote, and in the presence of a quorum, H.R. 940 was ordered favorably reported to the House.

Chairman Peterson then advised Members that pursuant to the rules of the House of Representatives that Members have 2 calendar days to file such views with the Committee. No Members came forth with intent to file additional views.

Without objection, staff was given permission to make any necessary clerical, technical or conforming changes to reflect the intent of the Committee.

Chairman Peterson thanked all the Members and adjourned the meeting subject to the call of the chair.

REPORTING THE BILL—ROLLCALL VOTES

In compliance with clause 3(b) of rule XIII of the Rules of the House of Representatives, H.R. 940 was reported by voice vote with a majority quorum present. There was no request for a recorded vote.

COMMITTEE OVERSIGHT FINDINGS

Pursuant to clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Agriculture's oversight findings and recommendations are reflected in the body of this report.

BUDGET ACT COMPLIANCE (SECTIONS 308, 402, AND 423)

The provisions of clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a)(1) of the Congressional Budget Act of 1974 (relating to estimates of new budget authority, new spending authority, new credit authority, or increased or decreased revenues or tax expenditures) are not considered applicable. The estimate and comparison required to be prepared by the Director of the Congressional Budget Office under clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and sections 402 and 423 of the Congressional Budget Act of 1974 submitted to the Committee prior to the filing of this report are as follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, August 6, 2009.

Hon. COLLIN C. PETERSON,
Chairman, Committee on Agriculture, House of Representatives,
Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 940, a bill to provide for the conveyance of National Forest System land in the state of Louisiana.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Deborah Reis.

Sincerely,

DOUGLAS W. ELMENDORF,
Director.

Enclosure.

H.R. 940—A bill to provide for the conveyance of National Forest System land in the State of Louisiana

H.R. 940 would direct the Forest Service to sell about 80 acres of land within the Kisatchie National Forest in Louisiana. Under the bill, Collins Camp Properties, Incorporated, would have right of first refusal on the property and would be responsible for the administrative costs of the sale. Proceeds from the sale of the property would be available to the Forest Service without further appropriation to acquire other lands and interests in the Kisatchie National Forest.

CBO estimates that implementing H.R. 940 would have no net impact on the federal budget. Any offsetting receipts earned from the sale—which we estimate would be less than \$1 million—would be offset by additional spending, most of which would occur over the next five years. Moreover, we expect that the property to be sold currently generates no significant receipts from commercial activities such as timber sales and is not expected to do so over the next 10 years. Therefore, selling the land would not result in any loss of income to the Forest Service.

The bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

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

PERFORMANCE GOALS AND OBJECTIVES

With respect to the requirement of clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the performance goals and objections of this legislation are to provide for the conveyance of National Forest System land in the State of Louisiana.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee finds the Constitutional authority for this legislation in Article I, clause 8, section 18, that grants Congress the power to make all laws necessary and proper for car-

rying out the powers vested by Congress in the Constitution of the United States or in any department or officer thereof.

COMMITTEE COST ESTIMATE

Pursuant to clause 3(d)(2) of rule XIII of the Rules of the House of Representatives, the Committee report incorporates the cost estimate prepared by the Director of the Congressional Budget Office pursuant to sections 402 and 423 of the Congressional Budget Act of 1974.

ADVISORY COMMITTEE STATEMENT

No advisory committee within the meaning of section 5(b) of the Federal Advisory Committee Act was created by this legislation.

APPLICABILITY TO THE LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act (Public Law 104–1).

FEDERAL MANDATES STATEMENT

The Committee adopted as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act (Public Law 104–4).

EARMARK STATEMENT REQUIRED BY CLAUSE 9 OF RULE XXI OF THE RULES OF HOUSE OF REPRESENTATIVES

H.R. 940 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of rule XXI of the Rules of the House Representatives.

