

COFFMAN COVE ADMINISTRATIVE SITE CONVEYANCE
ACT OF 2008

APRIL 17, 2008.—Committed to the Committee of the Whole House on the State of
the Union and ordered to be printed

Mr. RAHALL, from the Committee on Natural Resources,
submitted the following

R E P O R T

[To accompany H.R. 831]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 831) to provide for the conveyance of certain Forest Service land to the city of Coffman Cove, Alaska, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Coffman Cove Administrative Site Conveyance Act of 2008”.

SEC. 2. DEFINITIONS.

In this Act:

(1) CITY.—The term “City” means the city of Coffman Cove, Alaska.

(2) SECRETARY.—The term “Secretary” means the Secretary of Agriculture.

SEC. 3. CONVEYANCE.

(a) IN GENERAL.—Subject to valid existing rights, the Secretary shall convey to the City, without consideration and by quitclaim deed all right, title, and interest of the United States, except as provided in subsections (c) and (d), in and to the parcel of National Forest System land described in subsection (b).

(b) DESCRIPTION OF LAND.—

(1) IN GENERAL.—The parcel of National Forest System land referred to in subsection (a) is the approximately 12 acres of land identified in U.S. Survey 10099, as depicted on the plat entitled “Subdivision of U.S. Survey No. 10099” and recorded as Plat 2003-1 on January 21, 2003, Petersburg Recording District, Alaska.

(2) EXCLUDED LAND.—The parcel of National Forest System land conveyed under subsection (a) does not include the portion of U.S. Survey 10099 that is north of the right-of-way for Forest Development Road 3030-295 and southeast of Tract CC-8.

(c) RIGHT-OF-WAY.—The United States may reserve a right-of-way to provide access to the National Forest System land excluded from the conveyance to the City under subsection (b)(2).

(d) REVERSION.—If any portion of the land conveyed under subsection (a) (other than a portion of land sold under subsection (e)) ceases to be used for public purposes, the land shall, at the option of the Secretary, revert to the United States.

(e) CONDITIONS ON SUBSEQUENT CONVEYANCES.—If the City sells any portion of the land conveyed to the City under subsection (a)—

(1) the amount of consideration for the sale shall reflect fair market value, as determined by an appraisal; and

(2) the City shall pay to the Secretary an amount equal to the gross proceeds of the sale, which shall be available, without further appropriation, for the Tongass National Forest.

PURPOSE OF THE BILL

The purpose of H.R. 831 is to provide for the conveyance of certain Forest Service land to the city of Coffman Cove, Alaska.

BACKGROUND AND NEED FOR LEGISLATION

Coffman Cove is a small community of about 200 residents that developed around a logging camp and work site in Alaska's Tongass National Forest. A 12-acre tract in the center of the town still belongs to the U.S. Forest Service.

The land was used as an administrative site by the Forest Service, but declining timber sales have diminished the Service's need for the site. All buildings have been removed from the property.

H.R. 831 would direct the Forest Service to convey, subject to certain conditions, the former administrative site to the city free of charge.

Companion legislation, S. 202, introduced by Senators Murkowski and Stevens on January 8, 2007, was reported by the Senate Energy and Natural Resources Committee on February 15, 2007 (S. Rpt. 110–6). Identical legislation passed the Senate during the 109th Congress.

COMMITTEE ACTION

H.R. 831 was introduced February 5, 2007, by Representative Don Young (R-AK). The bill was referred to the Committee on Natural Resources, and within the Committee, to the Subcommittee on National Parks, Forests and Public Lands.

On April 2, 2008, the Full Natural Resources Committee met to consider the bill. The Subcommittee on National Parks, Forests and Public Lands was discharged from further consideration of H.R. 831. An amendment in the nature of a substitute making technical changes was offered by Rep. Young and was agreed to by voice vote. The bill, as amended, was then ordered favorably reported to the House of Representatives by voice vote.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

Section 1 states that the bill may be cited as the “Coffman Cove Administrative Site Conveyance Act of 2008”.

Section 2. Definitions

Section 2 defines the term “City” as the city of Coffman Cove, Alaska; and the term “Secretary” as the Secretary of Agriculture.

Section 3. Conveyance

Section 3(a) directs the Secretary to convey to the City all right, title and interest in a parcel inside the City.

Section 3(b) describes the land to be conveyed.

Section 3(c) allows the Forest Service to reserve a right of way to provide access to other Forest Service land that is not being conveyed.

Section 3(d) requires that if any portion of the land conveyed (except land sold under Section 3(e)) ceases to be used for public purposes, the Secretary may require that the land revert to the United States.

Section 3(e) allows the city to sell the land conveyed if the sale reflects fair market value as determined by appraisal, and if the City pays to the Secretary an amount equal to the gross proceeds of the sale, which the Secretary may use without further appropriation for the Tongass National Forest.

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.

CONSTITUTIONAL AUTHORITY STATEMENT

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

COMPLIANCE WITH HOUSE RULE XIII

1. Cost of Legislation. Clause 3(d)(2) 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)(3)(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.

2. 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.

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 provide for the conveyance of certain Forest Service land to the city of Coffman Cove, Alaska.

4. Congressional Budget Office Cost Estimate. 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:

H.R. 831—Coffman Cove Administrative Site Conveyance Act of 2008

H.R. 831 would direct the Secretary of Agriculture to convey to the city of Coffman Cove, Alaska, for no consideration, 12 acres of Forest Service land. Based on information from the Forest Service, CBO estimates that implementing the legislation would have no significant impact on the federal budget. Although the property could be sold by the Forest Service under existing law, CBO estimates that conveying it for no consideration would have no net impact on direct spending because we expect that such a sale is unlikely. Moreover, we estimate that the loss of receipts—if any—would be less than \$500,000 and would be offset by a corresponding reduction in direct spending. Any discretionary administrative costs of completing the conveyance would be negligible. Finally, we estimate that enacting H.R. 831 would have no effect on revenues.

H.R. 831 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.

On February 7, 2007, CBO transmitted a cost estimate for S. 202, the Coffman Cove Administrative Site Conveyance Act of 2007, as ordered reported by the Senate Committee on Energy and Natural Resources on January 31, 2007. The provisions of S. 202 and H.R. 831 are identical, and CBO's estimates of their costs are the same.

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

COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

EARMARK STATEMENT

H.R. 831 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.

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.