

OLD JICARILLA ADMINISTRATIVE SITE

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JULY 26, 1999.—Committed to the Committee of the Whole House on the State of
the Union and ordered to be printed
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Mr. YOUNG of Alaska, from the Committee on Resources,
submitted the following

REPORT

[To accompany H.R. 695]

[Including Cost Estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 695) to direct the Secretary of Agriculture and the Secretary of the Interior to convey an administrative site in San Juan County, New Mexico, to San Juan College, 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 out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. OLD JICARILLA ADMINISTRATIVE SITE.

(a) CONVEYANCE OF PROPERTY.—Not later than one year after the date of completion of the survey referred to in subsection (b), the Secretary of the Interior shall convey to San Juan College, in Farmington, New Mexico, subject to the terms, conditions, and reservations under subsection (c), all right, title, and interest of the United States in and to a parcel of real property (including any improvements on the land) not to exceed 20 acres known as the “Old Jicarilla Site” located in San Juan County, New Mexico (T29N; R5W; portions of sections 29 and 30).

(b) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary of the Interior, the Secretary of Agriculture, and the President of San Juan College. The cost of the survey shall be borne by San Juan College.

(c) TERMS, CONDITIONS, AND RESERVATIONS.—

(1) Notwithstanding exceptions of application under the Recreation and Public Purposes Act (43 U.S.C. 869(c)), consideration for the conveyance described in subsection (a) shall be—

(A) an amount that is consistent with the Bureau of Land Management special pricing program for Governmental entities under the Recreation and Public Purposes Act; and

- (B) an agreement between the Secretaries of the Interior and Agriculture and San Juan College indemnifying the Government of the United States from all liability of the Government that arises from the property.
- (2) The lands conveyed by this Act shall be used for educational and recreational purposes. If such lands cease to be used for such purposes, at the option of the United States, such lands will revert to the United States.
- (3) The Secretary of Agriculture shall identify any reservations of rights-of-way for ingress, egress, and utilities as the Secretary deems appropriate.
- (4) The conveyance described in subsection (a) shall be subject to valid existing rights.
- (d) LAND WITHDRAWALS.—Public Land Order 3443, only insofar as it pertains to lands described in subsections (a) and (b), shall be revoked simultaneous with the conveyance of the property under subsection (a).

PURPOSE OF THE BILL

The purpose of H.R. 695 is to direct the Secretary of Agriculture and the Secretary of the Interior to convey an administrative site in San Juan County, New Mexico, to San Juan College.

BACKGROUND AND NEED FOR LEGISLATION

The 20-acre “Old Jicarilla Site” is located in the Carson National Forest near the town of Gobernador, New Mexico, and is managed by the Forest Service and the Bureau of Land Management. The Forest Service has determined that this site is of no further use because it moved its operations to a new administrative facility in Bloomfield, New Mexico, several years ago. In fact, the site has been unoccupied since that time.

San Juan College in Farmingham, New Mexico, has expressed an interest in acquiring this site for continued public use, specifically for educational and recreational purposes.

As the Forest Service and the Bureau of Land Management do not have the authority to convey this land, Congressional action is necessary to approve a conveyance.

COMMITTEE ACTION

Congressman Tom Udall (D–NM) introduced H.R. 695 on February 10, 1999. The bill was referred to the Committee on Resources and within the Committee to both the Subcommittee on National Parks and Public Lands and the Subcommittee on Forests and Forest Health. The Subcommittee on Forests and Forest Health held a hearing on the bill on June 17, 1999. Congressman Udall testified and the U.S. Forest Service was in attendance. On June 30, 1999, the Committee on Resources met to consider the bill. The Subcommittee on National Parks and Public Lands and the Subcommittee on Forests and Forest Health were discharged by unanimous consent from further consideration of H.R. 695. Congressman Udall offered an amendment in the nature of a substitute that made technical corrections to the bill. It was adopted by voice vote. The bill, as amended, was then ordered favorably reported to the House of Representatives by voice vote.

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 Resources’ oversight findings and recommendations are reflected in the body of this report.

CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8 and Article IV, section 3 of the Constitution of the United States grant 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 tax expenditures. According to the Congressional Budget Office, enactment of H.R. 695 would increase offsetting receipts by less than \$1000.

3. *Government Reform Oversight Findings.* Under clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the Committee has received no report of oversight findings and recommendations from the Committee on Government Reform on this bill.

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:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, July 8, 1999.

Hon. DON YOUNG,
*Chairman, Committee on Resources,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 695, a bill to direct the Secretary of Agriculture and the Secretary of the Interior to convey an administrative site in San Juan County, New Mexico, to San Juan College.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contacts are Victoria Heid Hall (for federal costs) and Marjorie Miller (for the state and local impact).

Sincerely,

BARRY B. ANDERSON
(For Dan L. Crippen, Director).

Enclosure.

H.R. 695—A bill to direct the Secretary of Agriculture and the Secretary of the Interior to convey an administrative site in San Juan County, New Mexico, to San Juan College

H.R. 695 would direct the Secretaries of Agriculture and the Interior to convey to San Juan College in Farmington, New Mexico, up to 20 acres of federal property, including improvements on the land. As consideration for the conveyance, the bill would require San Juan College to pay an amount consistent with the Bureau of Land Management's special pricing program for governmental entities under the Recreation and Public Purposes Act, and to indemnify the federal government from all liability arising from the property.

CBO estimates that enacting H.R. 695 would have no significant impact on the federal budget. Based on information from the Forest Service and San Juan College, we estimate that the college would pay less than \$1,000 to acquire the property, including improvements. The agencies do not have any plans to sell the land under current law. Because H.R. 695 would increase offsetting receipts, pay-as-you-go procedures would apply; however, we estimate that the impact on direct spending would be negligible.

H.R. 695 contains an intergovernmental mandate as defined in the Unfunded Mandates Reform Act (UMRA), but the costs of that mandate would be far less than the threshold established by that act (\$50 million per year in 1996, adjusted annually for inflation). The bill would require San Juan College, a public institution, to pay for a survey of the property to be conveyed. CBO estimates that this mandate would not impose substantial costs on the college. Any other costs that the college might incur as a result of this bill would be voluntary. H.R. 695 contains no new private-sector mandates as defined in UMRA.

The CBO staff contacts are Victoria Heid Hall (for federal costs) and Majorie Miller (for the state and local impact). This estimate was approved by Robert A. Sunshine, Deputy Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates above the threshold established by Public Law 104-4.

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.