

**Calendar No. 663**105<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION**S. 2505****[Report No. 105-354]**

To direct the Secretary of the Interior to convey title to the Tunnison Lab Hagerman Field Station in Gooding County, Idaho, to the University of Idaho.

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**IN THE SENATE OF THE UNITED STATES**

September 21, 1998

Mr. CRAIG (for himself and Mr. KEMPTHORNE) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

SEPTEMBER 28, 1998

Reported by Mr. CHAFEE, with an amendment

[Omit the part struck through and insert the part printed in *italic*]

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**A BILL**

To direct the Secretary of the Interior to convey title to the Tunnison Lab Hagerman Field Station in Gooding County, Idaho, to the University of Idaho.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. CONVEYANCE OF TUNNISON LAB HAGERMAN**  
 2 **FIELD STATION, HAGERMAN, IDAHO, TO THE**  
 3 **UNIVERSITY OF IDAHO.**

4 (a) IN GENERAL.—Not later than 180 days after the  
 5 date of enactment of this Act, the Secretary of the Interior  
 6 shall convey to the University of Idaho, without reimburse-  
 7 ment, all right, title, and interest of the United States in  
 8 and to the property described in subsection (b) for use  
 9 by the University of Idaho for fish research.

10 (b) DESCRIPTION OF PROPERTY.—

11 ~~(1) IN GENERAL.—The property referred to in~~  
 12 ~~subsection (a) consists of approximately 4 acres of~~  
 13 ~~land housing the Tunnison Lab Hagerman Field~~  
 14 ~~Station in Gooding County, Idaho, and all improve-~~  
 15 ~~ments and related personal property, excluding~~  
 16 ~~water rights vested in the United States.~~

17 ~~(2) SURVEY.—The exact acreage and legal de-~~  
 18 ~~scription of the property described under paragraph~~  
 19 ~~(1), and a description of necessary access and utility~~  
 20 ~~easements and rights-of-way, shall be determined by~~  
 21 ~~a survey that is satisfactory to the Secretary.~~

22 *(1) IN GENERAL.—The property referred to in*  
 23 *subsection (a) consists of approximately 4 acres of*  
 24 *land, the Tunnison Lab Hagerman Field Station in*  
 25 *Gooding County, Idaho, located thereon, and all im-*  
 26 *provements and related personal property, excluding*

1 *water rights vested in the United States and nec-*  
 2 *essary access and utility easements and rights-of-way.*

3 (2) *SURVEY.—The exact acreage and legal de-*  
 4 *scription of the property described under paragraph*  
 5 *(1) shall be determined by a survey that is satisfac-*  
 6 *tory to the Secretary.*

7 (c) REVERSIONARY INTEREST IN THE UNITED  
 8 STATES.—

9 (1) REQUIREMENT.—If any property conveyed  
 10 to the University of Idaho under this section is used  
 11 for any purpose other than the use authorized under  
 12 subsection (a), all right, title, and interest in and to  
 13 all property conveyed under this section shall revert  
 14 to the United States.

15 (2) CONDITION OF PROPERTY ON REVER-  
 16 SION.—In the case of a reversion of property under  
 17 paragraph (1), the University of Idaho shall ensure  
 18 that all property reverting to the United States  
 19 under this subsection is in substantially the same  
 20 condition as, or in better condition than, on the date  
 21 of conveyance under subsection (a).

22 (d) COMPLIANCE WITH OTHER LAWS.—In connec-  
 23 tion with property conveyed under this section, the Univer-  
 24 sity of Idaho shall—

1           (1) comply with the National Historic Preserva-  
2           tion Act (16 U.S.C. 470 et seq.) for all ground dis-  
3           turbating activities, with special emphases on compli-  
4           ance with sections 106, 110, and 112 (16 U.S.C.  
5           470f, 470h-2, 470h-4); and

6           (2) protect prehistoric and historic resources in  
7           accordance with the Archaeological Resources Pro-  
8           tection Act of 1979 (16 U.S.C. 470aa et seq.).

9           (e) LIABILITY.—

10           (1) IN GENERAL.—Except as provided in para-  
11           graph (2), as a condition of the conveyance of prop-  
12           erty under this section, the University of Idaho shall  
13           hold the United States harmless, and shall indem-  
14           nify the United States, for all claims, costs, dam-  
15           ages, and judgments arising out of any act or omis-  
16           sion relating to the property conveyed under this  
17           section.

18           (2) EXCEPTIONS.—Paragraph (1) shall not  
19           apply to a claim, cost, damage, or judgment arising  
20           from an act of negligence committed by the United  
21           States, or by an employee, agent, or contractor of  
22           the United States, prior to the date of the convey-  
23           ance under this section, for which the United States  
24           is found liable under chapter 171 of title 28, United  
25           States Code.



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