

HELP TO ACCESS LAND FOR THE EDUCATION OF
SCOUTS

MARCH 31, 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. 2675]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 2675) to provide for the conveyance of approximately 140 acres of land in the Ouachita National Forest in Oklahoma to the Indian Nations Council, Inc., of the Boy Scouts of America, and for other purposes, 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 “Help to Access Land for the Education of Scouts” or “HALE Scouts Act”.

SEC. 2. LAND CONVEYANCE, OUACHITA NATIONAL FOREST, OKLAHOMA.

(a) **FINDING.**—Congress finds that it is in the public interest to provide for the sale of certain federally owned land in the Ouachita National Forest in Oklahoma to the Indian Nations Council, Inc., of the Boy Scouts of America, for market value consideration.

(b) **CONVEYANCE REQUIRED.**—Subject to valid existing rights, the Secretary of Agriculture shall convey, by quitclaim deed, to the Indian Nations Council, Inc., of the Boy Scouts of America (in this section referred to as the “Council”) all right, title, and interest of the United States in and to certain National Forest System land in the Ouachita National Forest in the State of Oklahoma consisting of approximately 140 acres, depending on the final measurement of the road set back and the actual size of the affected sections, as more fully described in subsection (c). The conveyance may not include any land located within the Indian Nations National Scenic and Wildlife Area designated by section 10 of the Winding Stair Mountain National Recreation and Wilderness Area Act (16 U.S.C. 460vv–8).

(c) **COVERED LANDS.**—The National Forest System land to be conveyed under subsection (b) is depicted on the map entitled “Boy Scout Land Request—Ouachita NF”.

The map shall be on file and available for public inspection in the Forest Service Regional Office in Atlanta, Georgia.

(d) CONSIDERATION.—As consideration for the land conveyed under subsection (b), the Council shall pay to the Secretary an amount equal to the fair market value of the land, as determined by an appraisal approved by the Secretary and done in conformity with the Uniform Appraisal Standards for Federal Land Acquisitions and section 206 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716).

(e) USE OF PROCEEDS.—The consideration received under subsection (d) shall be deposited in the fund established by Public Law 90–171 (commonly known as the “Sisk Act”; 16 U.S.C. 484a). The amount so deposited shall be available to the Secretary, without further appropriation, for expenditure for the acquisition of land and interests in land in the Ouachita National Forest.

(f) SURVEY AND ADMINISTRATIVE COSTS.—The exact acreage and legal description of the land to be conveyed under subsection (b) shall be determined by a survey satisfactory to the Secretary. The Council shall pay the reasonable costs of survey, appraisal, and any administrative analyses required by law.

(g) ACCESS.—Access to the land conveyed under subsection (b) shall be from the adjacent land of the Council or its successor. Notwithstanding section 1323(a) of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3210(a)), the Secretary shall not be required to provide additional access to the conveyed land.

(h) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may prescribe such terms and conditions on the conveyance under subsection (b) as the Secretary considers in the public interest, including the reservation of access rights to the conveyed land for administrative purposes.

PURPOSE OF THE BILL

The purpose of H.R. 2675 is to provide for the conveyance of approximately 140 acres of land in the Ouachita National Forest in Oklahoma to the Indian Nations Council, Inc., of the Boy Scouts of America, and for other purposes.

BACKGROUND AND NEED FOR LEGISLATION

In 1963, the Indian Nations Council acquired 480 acres of wilderness area in the Ouachita National Forest from the State of Oklahoma and U.S. Forest Service to establish Camp Tom Hale. According to the president of the Indian Nations Council of the Boy Scouts, this adventure camp currently serves over 6,300 scouts per summer (as well as many adult leader training courses) covering a wide variety of outdoor and first aid skills.

The organization has worked with the Forest Service over the last four years to coordinate the purchase of an additional 140 acres of U.S. Forest Service land immediately adjacent to the existing Camp Tom Hale facility. Funding has been approved by the Indian Nations Council Board for the purchase including the immediate construction of infrastructure and facilities to camp 180 additional scouts per week, once the acquisition is completed. Additional camping and program facilities on this addition are anticipated in the near future.

COMMITTEE ACTION

H.R. 2675 was introduced on June 12, 2007, by Representative Dan Boren (D–OK). 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 March 6, 2008, the Subcommittee held a hearing on the bill during which the Administration testified in support of the legislation. On March 12, 2008, the Full Natural Resources Committee met to consider the bill. The Subcommittee was discharged from further consideration of H.R.

2675. Representative Boren (D–OK) offered an amendment in the nature of a substitute to identify maps relevant to the land transfer and ensure that the land appraisal process is accomplished in accordance with the Federal Land Policy and Management Act of 1976. The Boren amendment was adopted by unanimous consent. The bill, as amended, was then ordered favorably reported to the House of Representatives by unanimous consent.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

Section 1 titles the act as the “Help to Access Land for the Education of Scouts” or “HALE Scouts Act.”

Section 2. Land conveyance, Ouachita National Forest, Oklahoma

Section 2(a) states the finding of Congress that the proposed land transfer is in the public interest.

Section 2(b) requires the Secretary of Agriculture (“Secretary”) to convey to the Indian Nations Council, Inc., of the Boy Scouts of America (“Council”) all right, title and interest of the United States to approximately 140 acres of land in the Ouachita National Forest. The conveyance may not include any land located within the Indian Nations National Scenic and Wildlife Area.

Section 2(c) of H.R. 2675 identifies the National Forest System lands to be conveyed and identifies the location of the map of these parcels.

Section 2(d) requires that the Council pay the Secretary an amount equal to fair market value for the land, as determined by the Secretary in conformity with the Uniform Appraisal Standards for Federal Land Acquisitions and the Federal Land Policy and Management Act of 1976.

Section 2(e) requires that the proceeds from the land conveyance shall be made available to the Secretary for expenditure for acquisition of land and interests in land in the Ouachita National Forest.

Section 2(f) requires that the land to be conveyed be surveyed and legally described and that such costs will be paid by the Council.

Section 2(g) states that access to the land conveyed by this Act shall be from the adjacent land of the Council or its successor and that the Secretary will not be required to provide access to the conveyed land.

Section 2(h) authorizes the Secretary prescribe such terms and conditions to the conveyance that are deemed necessary to protect the public interest.

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 approximately 140 acres of land in the Ouachita National Forest in Oklahoma to the Indian Nations Council, Inc., of the Boy Scouts of America.

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. 2675—HALE Scouts Act

H.R. 2675 would require the Secretary of Agriculture to convey, at fair market value, approximately 140 acres of land in the Ouachita National Forest, Oklahoma, to the Indian Nations Council, Inc. (a chartered council of the Boy Scouts of America).

Based on information from the Forest Service, CBO estimates that implementing this legislation would have no significant effect on the federal budget. The council would be required to pay any administrative costs associated with the conveyance. Further, the Forest Service would be able to retain the proceeds from the sale of the land to acquire other land. Enacting the legislation would not affect revenues.

H.R. 2675 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 Tyler Kruzich. This 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. 2675 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.

