

RANCH A CONSOLIDATION AND MANAGEMENT
IMPROVEMENT ACT

SEPTEMBER 10, 2013.—Committed to the Committee of the Whole House on the
State of the Union and ordered to be printed

Mr. HASTINGS of Washington, from the Committee on Natural
Resources, submitted the following

R E P O R T

together with

DISSENTING VIEWS

[To accompany H.R. 1684]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 1684) to convey certain property to the State of Wyoming to consolidate the historic Ranch A, and for other purposes, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of H.R. 1684 is to convey certain property to the State of Wyoming to consolidate the historic Ranch A.

BACKGROUND AND NEED FOR LEGISLATION

Ranch A is a historic property, encompassing approximately 645 acres in northeastern Wyoming that was first developed in the 1930s. After coming under federal ownership in the 1960s, it was used as a fish hatchery by the U.S. Fish and Wildlife Service until 1986. The Ranch A Restoration Foundation was formed in 1992 to restore and operate Ranch A as a center for learning and interpretation of Western heritage. Ownership of Ranch A was officially conveyed to the State of Wyoming in 1997. However, the conveyance included the stipulation that Ranch A only be used for educational purposes, and for unknown reasons, excluded 10 acres of

land and a facility known as the Babcock House that has been managed by the foundation as part of Ranch A despite being under federal ownership.

Since the Ranch has been conveyed, the Ranch A Restoration Foundation has invested approximately \$1 million to restore and upgrade the facilities, but further repairs and renovations are needed. Due to the restrictions imposed by the conveyance, there is limited opportunity to raise additional income to fund the improvements. Removal of these restrictions will allow the property to be rented for additional uses by other outside groups.

H.R. 1684 would convey approximately 10 acres of National Forest System land without consideration, with the State of Wyoming covering the costs to survey the land. The legislation also amends Public Law 104-276 (the original statute that conveyed Ranch A to the State of Wyoming) to remove certain restrictions on the use of the property.

COMMITTEE ACTION

H.R. 1684 was introduced on April 23, 2013, by Congresswoman Cynthia Lummis (R-WY). The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on Public Lands and Environmental Regulation. On July 19, 2013, the Subcommittee held a hearing on the bill. On July 31, 2013, the full Natural Resources Committee met to consider the bill. The Subcommittee on Public Lands and Environmental Regulation was discharged by unanimous consent. Congressman Raul Grijalva (D-AZ) offered an amendment designated 054 to the bill; the amendment was not adopted by voice vote. No further amendments were offered, and the bill was then adopted and 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 Natural Resources' oversight findings and recommendations are reflected in the body of this report.

COMPLIANCE WITH HOUSE RULE XIII

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

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H.R. 1684 would require the Forest Service to convey, without consideration, 10 acres of federal land to the state of Wyoming. Based on information provided by the agency, CBO estimates that implementing the legislation would have no significant impact on the federal budget. Enacting H.R. 1684 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

The affected lands do not currently generate any receipts and are not expected to generate receipts over the next 10 years. In addition, the Forest Service does not have the authority to sell those lands under current law. Therefore, CBO estimates that conveying the affected lands would not affect direct spending. Finally, because H.R. 1684 would require the state of Wyoming to cover the cost of surveying the affected lands, CBO estimates that implementing the bill would have a minimal impact on discretionary spending.

H.R. 1684 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.

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

2. Section 308(a) of 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. Based on information provided by the Forest Service, CBO estimates that implementing the legislation would have no significant impact on the federal budget.

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 convey certain property to the State of Wyoming to consolidate the historic Ranch A.

EARMARK STATEMENT

This bill does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined under clause 9(e), 9(f), and 9(g) of rule XXI of the Rules of the House of Representatives.

COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

COMPLIANCE WITH H. RES. 5

Directed Rule Making. The Chairman does not believe that this bill directs any executive branch official to conduct any specific rule-making proceedings.

Duplication of Existing Programs. This bill does not establish or reauthorize a program of the federal government known to be duplicative of another program. Such program was not included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111-139 or identified in the

most recent Catalog of Federal Domestic Assistance published pursuant to the Federal Program Information Act (Public Law 95-220, as amended by Public Law 98-169) as relating to other programs.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

PUBLIC LAW 104-276

SECTION 1. CONVEYANCE OF CERTAIN PROPERTY TO WYOMING.

(a) CONVEYANCE.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of the Interior shall convey in “as is” condition, to the State of Wyoming without reimbursement—

(A) all right, title, and interest of the United States in and to the portion of the property commonly known as “Ranch A” in Crook County, Wyoming, other than the portion described in paragraph (2), consisting of approximately 600 acres of land (including all real property, buildings, and all other improvements to real property) and all personal property (including art, historic light fixtures, wildlife mounts, draperies, rugs, and furniture directly related to the site, including personal property on loan to museums and other entities at the time of transfer);

(B) all right, title, and interest of the United States in and to all buildings and related improvements and all personal property associated with the buildings on the portion of the property described in paragraph (2); and

(C) a permanent right of way across the portion of the property described in paragraph (2) to use the buildings conveyed under subparagraph (B).

(2) RANCH A.—Subject to the exceptions described in subparagraphs (B) and (C) of paragraph (1), the United States shall retain all right, title, and interest in and to the portion of the property commonly known as “Ranch A” in Crook County, Wyoming, described as Township 52 North, Range 61 West, Section 24 N¹/₂ SE¹/₄, consisting of approximately 80 acres of land.

[(b) USE AND REVERSIONARY INTEREST.—

[(1) USE.—The property conveyed to the State of Wyoming under this section shall be retained by the State and be used by the State for the purposes of—

[(A) fish and wildlife management and educational activities; and

[(B) using, maintaining, displaying, and restoring, through State or local agreements, or both, the museum-quality real and personal property and the historical inter-

ests and significance of the real and personal property, consistent with applicable Federal and State laws.

【(2) ACCESS BY INSTITUTIONS OF HIGHER EDUCATION.—The State of Wyoming shall provide access to the property for institutions of higher education at a compensation level that is agreed to by the State and the institutions of higher education.

【(3) REVERSION.—All right, title, and interest in and to the property described in subsection (a) shall revert to the United States if—

【(A) the property is used by the State of Wyoming for any other purpose than the purposes set forth in paragraph (1);

【(B) there is any development of the property (including commercial or recreational development, but not including the construction of small structures, to be used for the purposes set forth in subsection (b)(1), on land conveyed to the State of Wyoming under subsection (a)(1)(A)); or

【(C) the State does not make every reasonable effort to protect and maintain the quality and quantity of fish and wildlife habitat on the property.】

【(c) (b) ADDITION TO THE BLACK HILLS NATIONAL FOREST.—

(1) TRANSFER.—Administrative jurisdiction of the property described in subsection (a)(2) is transferred to the Secretary of Agriculture, to be included in and managed as part of the Black Hills National Forest.

(2) NO HUNTING OR MINERAL DEVELOPMENT.—No hunting or mineral development shall be permitted on any of the land transferred to the administrative jurisdiction of the Secretary of Agriculture by paragraph (1).

DISSENTING VIEWS

We oppose H.R. 1684 because it overrides the sole purpose of a past transfer of land from the federal government to the State of Wyoming. Ranch A, the property in dispute, has valuable historic and environmental significance for the people of Wyoming and has received national recognition for these traits. The property was conveyed to Wyoming from the federal government in 1996 under the condition that it be maintained for educational and conservation purposes; no other consideration was given by Wyoming to receive title to this land. The proposed legislation states that it will grant flexibility to the State to preserve the property; however, by lifting the provisions upon which the original conveyance was based, H.R. 1684 removes any duty of Wyoming to preserve the property for the public good.

The State of Wyoming was conveyed Ranch A in Crook County, Wyoming under a very specific set of conditions, all aimed at promoting public education and environmental conservation. Those conditions were: (1) the property will be used for fish and wildlife management and educational activities; (2) the property owners will use, maintain, and restore the property and its historical significance; (3) institutions of higher education will have access to the property; and (4) there will be no commercial or recreational development of the property, aside from that consistent with the above-mentioned uses. Congress approved this conveyance of federal land in Public Law 104-276 on October 9, 1996. Less than two decades later, this bill attempts to negate the goodwill contained in that transfer of land by removing all restrictions upon Ranch A. Though the State of Wyoming claims that the land will be used to safeguard the Ranch for future generations, the intent of this bill is to ensure there is no legal duty for them to do so.

The Majority rejected an amendment from Public Lands and Environmental Regulation Subcommittee Ranking Member Grijalva (D-AZ) that would have ensured that Ranch A would be preserved for its intended use. As written, H.R. 1684 would allow Wyoming to manage Ranch A in any manner it so desires in defiance of the original intent behind the conveyance of the property.

PETER DEFAZIO,
*Ranking Member, Committee
on Natural Resources.*

RAÚL GRIJALVA,
*Ranking Member, Sub-
committee on Public Lands
and Environmental Regu-
lation.*

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