

PROTECTION AND TRANSPARENCY FOR ADJACENT  
LANDOWNERS ACT

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DECEMBER 3, 2018.—Committed to the Committee of the Whole House on the State  
of the Union and ordered to be printed

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Mr. BISHOP of Utah, from the Committee on Natural Resources,  
submitted the following

R E P O R T

together with

DISSENTING VIEWS

[To accompany H.R. 6682]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 6682) to amend the Federal Land Policy and Management Act of 1976 to improve the transparency and oversight of land conveyances involving disposal or acquisition of National Forest System lands or Bureau of Land Management public lands, to provide protections and certainty for private landowners related to resurveying such public lands, 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 “Protection and Transparency for Adjacent Landowners Act”.

## TITLE I—REQUIREMENTS FOR FOREST SERVICE AND BUREAU OF LAND MANAGEMENT LAND ACQUISITIONS AND CONVEYANCES

### SEC. 101. ADDITIONAL REQUIREMENTS FOR FOREST SERVICE AND BUREAU OF LAND MANAGEMENT LAND ACQUISITIONS AND CONVEYANCES.

(a) NOTICE TO ADJACENT LANDOWNERS.—

(1) LAND ACQUISITIONS.—Section 205 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1715) is amended by adding at the end the following new subsection:

“(f) NOTICE TO ADJACENT LANDOWNERS.—As part of the acquisition of a parcel of non-Federal lands under this section, section 206, or other applicable law that will become public lands or National Forest System lands, the Secretary or the Secretary of Agriculture, as the case may be, shall provide advance written notification to each owner of land that is adjacent to the parcel of land to be acquired. To assist in identifying adjacent landowners, and to meet the requirements of this subsection, the Secretary concerned should use the most recently available property tax records.”.

(2) LAND CONVEYANCES.—Section 208 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1718) is amended—

(A) by inserting “(a) ISSUANCE OF PATENT AND OTHER CONVEYANCE DOCUMENTS.—” before the first sentence and “(b) OTHER TERMS AND CONDITIONS.—” before the second sentence; and

(B) by adding at the end the following new subsection:

“(c) NOTICE TO ADJACENT LANDOWNERS.—As part of the conveyance of a parcel of public lands or National Forest System lands by sale, exchange, or other disposal method under section 203 or 206 or other applicable law, the Secretary or the Secretary of Agriculture, as the case may be, shall provide advance written notification to each owner of land that is adjacent to the parcel of land to be conveyed. To assist in identifying adjacent landowners, and to meet the requirements of this subsection, the Secretary concerned should use the most recently available property tax records.”.

(b) OVERSIGHT OF USE OF THIRD-PARTY FACILITATORS.—

(1) ACQUISITION.—Section 205 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1715) is amended by inserting after subsection (f), as added by subsection (a)(1), the following new subsection:

“(g) OVERSIGHT OF USE OF THIRD-PARTY FACILITATORS.—(1) If the acquisition process for a parcel of non-Federal lands under this section, section 206, or other applicable law that will become public lands or National Forest System lands involves the use of a third-party facilitator, the Secretary or the Secretary of Agriculture, as the case may be, shall require, as a condition of the approval of the acquisition—

“(A) submission of all purchase contracts and related agreements held by the third-party facilitator related to the parcel to be acquired on written request by the appropriate official;

“(B) supervisor review of such purchase contracts and related agreements, the purpose of the acquisition, and other terms and conditions of the acquisition; and

“(C) a clear statement to Bureau of Land Management and United States Forest Service employees that the Secretary or the Secretary of Agriculture, as the case may be, has determined that all business information submitted under paragraphs (A), (B), and (C) of subsection (d) is confidential and all information covered by the Privacy Act of 1974 (5 U.S.C. 552a) will be protected to the extent allowed by law.

“(2) In this subsection, the term ‘third-party facilitator’ means any entity (other than an agent of the United States) whose role in a real estate transaction is to assist the buyer or seller, or both, in reaching agreement in the transaction.”.

(2) LAND CONVEYANCES.—Section 208 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1718) is amended by inserting after subsection (c), as added by subsection (a)(2), the following new subsection:

“(d) OVERSIGHT OF USE OF THIRD-PARTY FACILITATORS.—(1) If the process by which a parcel of public lands or National Forest System lands will be conveyed by sale, exchange, or other disposal method under section 203 or 206 or other applicable law, involves the use of a third-party facilitator, the Secretary or the Secretary of Agriculture, as the case may be, shall require, as a condition of the approval of the conveyance—

“(A) submission of all purchase contracts and related agreements held by the third-party facilitator related to the Federal land to be conveyed on written request by the appropriate official;

“(B) submission to appraisers of contact information for prospective end owners of the Federal land to be conveyed;

“(C) supervisor review of such purchase contracts and related agreements, the purpose of the conveyance, and other terms and conditions of the conveyance; and

“(D) a clear statement to Bureau of Land Management and United States Forest Service employees that the Secretary or the Secretary of Agriculture, as the case may be, has determined that all business information submitted under paragraphs (A), (B), and (C) of this subsection is confidential and all information covered by the Privacy Act of 1974 (5 U.S.C. 552a) will be protected to the extent allowed by law.

“(2) In this subsection, the term ‘third-party facilitator’ means any entity (other than an agent of the United States) whose role in a real estate transaction is to assist the buyer or seller, or both, in reaching agreement in the transaction.”.

## **TITLE II—BUREAU OF LAND MANAGEMENT RESURVEY REQUIREMENTS**

### **SEC. 201. BUREAU RESURVEY TRANSPARENCY; NOTICE REQUIREMENTS.**

#### (a) NOTICE.—

(1) **IN GENERAL.**—Not later than 30 days before the commencement of a resurvey of Federal land under the administrative jurisdiction of the Bureau of Land Management, the Secretary shall notify all property owners with land abutting or adjacent to the Federal land being resurveyed of the pending resurvey. If a resurvey extends the boundaries of Federal land, the Secretary shall notify affected landowners of the results of the resurvey not later than 30 days after the completion of the survey.

(2) **NOTIFICATION.**—The Secretary shall use certified or registered mail to notify landowners under this subsection.

(3) **IDENTIFICATION OF LANDOWNERS.**—When identifying affected landowners for the purpose of notification under this subsection, the Secretary shall use the most recently available property tax records.

(b) **PUBLIC COMMENT.**—Not later than 30 days after completing a resurvey, the Secretary shall publish a notice in the Federal Register. Affected landowners may comment to the Secretary and by submitting formal comments to the Federal Register notice.

### **SEC. 202. PROTECTION OF PERSONS.**

If a resurvey results in land previously thought to be privately owned to be reclassified as Federal land, the persons thought to be a private owner of such land—

#### (1) shall—

(A) be given the right of first refusal to purchase the land for fair market value minus the value of any significant improvements made to such lands;

or

(B) be reimbursed for the fair market value of any significant improvements made to such lands; and

(2) may not be charged with willful trespass onto such land unless the person used such lands with the knowledge that the lands should be classified as Federal land.

### **SEC. 203. DEFINITIONS.**

For the purposes of this title:

(1) **RESURVEY.**—The term “resurvey” means an official rerunning and remarking intended to supersede the records of the original survey.

(2) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior, acting through the Director of the Bureau of Land Management.

## **PURPOSE OF THE BILL**

The purpose of H.R. 6682 is to amend the Federal Land Policy and Management Act of 1976 to improve the transparency and oversight of land conveyances involving disposal or acquisition of National Forest System lands or Bureau of Land Management pub-

lic lands and to provide protections and certainty for private landowners relating to resurveying such public lands.

#### BACKGROUND AND NEED FOR LEGISLATION

The federal government manages roughly 640 million acres of land throughout the United States.<sup>1</sup> A majority of this land is in western States, where the federal government controls over 50 percent of the surface.<sup>2</sup> The federal land management agencies in charge of administering these lands frequently acquire, convey, or exchange these lands with willing persons, entities, or State and local governments. The notification and oversight process of these actions has on occasion caused confusion and frustration for landowners with land adjacent to federal lands.<sup>3</sup>

Resurveys carried out by the Bureau of Land Management (BLM) have also created conflicts, with BLM citing inaccurate existing boundaries as it has reclassified lands that were previously thought to be private as federal lands. One specific example of the negative impact caused by these reclassifications took place in 2009, when BLM conducted a resurvey of federal land in Mesa County, Colorado.<sup>4</sup> The resurvey resulted in the reclassification of land, originally thought to be owned by a private owner, as federal land. BLM subsequently charged that individual with trespassing and with the illegal removal of sand and gravel from federal lands, which resulted in a fine of over \$250,000.<sup>5</sup> Similar reclassifications have created other conflicts elsewhere in United States, with private land owners having their property rights put into jeopardy.<sup>6</sup>

H.R. 6682 institutes much needed transparency and oversight to the federal land acquisition and sale process by requiring BLM and the U.S. Forest Service to provide written notification to landowners with land adjacent to any parcel that is set to be acquired or sold. Additionally, this legislation requires BLM, in the event of a land resurvey, to notify property owners with land that abuts the federal land identified for resurvey. This bill will also protect landowners from instances when BLM determines that land, previously believed to be private, should be reclassified as federal land. The bill further provides that landowners are given the right of first refusal to purchase the reclassified land for fair market value, or to be reimbursed for any significant improvements they made to the reclassified land. This bill also prevents private landowners from being punished for trespassing unless they used the land after they had been properly notified that the land was owned by the federal government.

<sup>1</sup> Vincent, Carol Hardy. "Federal Land Ownership: Overview and Data." Congressional Research Service. March 3, 2017.

<sup>2</sup> Vincent, Carol Hardy. "Federal Land Ownership: Overview and Data." Congressional Research Service. March 3, 2017.

<sup>3</sup> Mountain Region Group, Letter to Congressman Scott Tipton provided to the House Committee on Natural Resources, Detailing a Colorado small business's dispute over the BLM notification process, July 14, 2014.

<sup>4</sup> Herald, P. M. (n.d.). Tipton slams federal land managers. *The Durango Herald*. Retrieved from <https://durangoherald.com/articles/76357>

<sup>5</sup> Id.

<sup>6</sup> Anderson, S. (2018, February 09). Cassidy: Federal government must keep word to Lake Bistineau landowners. [//bossierpress.com/cassidy-federal-government-must-keep-word-lake-bistineau-landowners/](http://bossierpress.com/cassidy-federal-government-must-keep-word-lake-bistineau-landowners/)

## COMMITTEE ACTION

H.R. 6682 was introduced on August 28, 2018, by Congressman Scott R. Tipton (R-CO). The bill was referred to the Committee on Natural Resources and within the Committee, to the Subcommittee on Federal Lands. The Subcommittee held a hearing on the bill on September 6, 2018. On September 26, 2018, the Natural Resources Committee met to consider the bill. The Subcommittee was discharged by unanimous consent. Congressman Tipton offered an amendment designated #1; it was adopted by voice vote. No additional amendments were offered, and the bill, as amended, was 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 AND CONGRESSIONAL BUDGET ACT

1. Cost of Legislation and the Congressional Budget Act. With respect to the requirements of clause 3(c)(2) and (3) of rule XIII of the Rules of the House of Representatives and sections 308(a) and 402 of the Congressional Budget Act of 1974, the Committee has received the following estimate for the bill from the Director of the Congressional Budget Office:

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
*Washington, DC, November 1, 2018.*

Hon. ROB BISHOP,  
*Chairman, Committee on Natural Resources,  
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 6682, the Protection and Transparency for Adjacent Landowners Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Janani Shankaran.

Sincerely,

KEITH HALL,  
*Director.*

Enclosure.

*H.R. 6682—Protection and Transparency for Adjacent Landowners Act*

H.R. 6682 would require the Bureau of Land Management (BLM) and the Forest Service to provide written notification to any adjacent landowner when the federal government acquires or conveys an adjoining parcel of land. The bill also would direct BLM to notify adjacent landowners 30 days in advance of commencing a resurvey of federal land.

Under the bill, if a resurvey resulted in land previously thought to be privately owned to be reclassified as federal land, the former owner would be given the right of first refusal to purchase the land or would be reimbursed for the fair market value of any improvements made to the land. According to BLM, implementing that provision would not change existing practices. In addition, using information from the agencies on existing public notification activities, CBO estimates that any additional costs to notify landowners under H.R. 6682 would be less than \$500,000 over the 2019–2023 period; such spending would be subject to the availability of appropriated funds.

Enacting H.R. 6682 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

CBO estimates that enacting H.R. 6682 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2029.

H.R. 6682 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.

The CBO staff contact for this estimate is Janani Shankaran. The estimate was reviewed by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

2. 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 amend the Federal Land Policy and Management Act of 1976 to improve the transparency and oversight of land conveyances involving disposal or acquisition of National Forest System lands or Bureau of Land Management public lands and to provide protections and certainty for private landowners relating to resurveying such public lands.

#### 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. This bill does not contain any directed rule makings.

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 (new matter is printed in italic and existing law in which no change is proposed is shown in roman):

**FEDERAL LAND POLICY AND MANAGEMENT ACT OF  
1976**

\* \* \* \* \*

TITLE II—LAND USE PLANNING; LAND ACQUISITION AND  
DISPOSITION

\* \* \* \* \*

ACQUISITIONS

SEC. 205. (a) Notwithstanding any other provisions of law, the Secretary, with respect to the public lands and the Secretary of Agriculture, with respect to the acquisition of access over non-Federal lands to units of the National Forest System, are authorized to acquire pursuant to this Act by purchase, exchange, donation, or eminent domain, lands or interests therein: *Provided*, That with respect to the public lands, the Secretary may exercise the power of eminent domain only if necessary to secure access to public lands, and then only if the lands so acquired are confined to as narrow a corridor as is necessary to serve such purpose. Nothing in this subsection shall be construed as expanding or limiting the authority of the Secretary of Agriculture to acquire land by eminent domain within the boundaries of units of the National Forest System.

(b) Acquisitions pursuant to this section shall be consistent with the mission of the department involved and with applicable departmental land-use plans.

(c) Except as provided in subsection (e), lands and interests in lands acquired by the Secretary pursuant to this section or section 206 shall, upon acceptance of title, become public lands, and, for the administration of public land laws not repealed by this Act, shall remain public lands. If such acquired lands or interests in lands are located within the exterior boundaries of a grazing district established pursuant to the first section of the Act of June 28, 1934 (48 Stat. 1269, as amended; 43 U.S.C. 315) (commonly known as the "Taylor Grazing Act"), they shall become a part of that district. Lands and interests in lands acquired pursuant to this section which are within boundaries of the National Forest System may be transferred to the Secretary of Agriculture and shall then become National Forest System lands and subject to all the laws, rules, and regulations applicable thereto.

(d) Lands and interests in lands acquired by the Secretary of Agriculture pursuant to this section shall, upon acceptance of title, become National Forest System lands subject to all the laws, rules, and regulations applicable thereto.

(e) Lands acquired by the Secretary pursuant to this section or section 206 in exchange for lands which were revested in the United States pursuant to the provisions of the Act of June 9, 1916

(39 Stat. 218) or reconveyed to the United States pursuant to the provisions of the Act of February 26, 1919 (40 Stat. 1179), shall be considered for all purposes to have the same status as, and shall be administered in accordance with the same provisions of law applicable to, the revested or reconveyed lands exchange for the lands acquired by the Secretary.

(f) *NOTICE TO ADJACENT LANDOWNERS.*—As part of the acquisition of a parcel of non-Federal lands under this section, section 206, or other applicable law that will become public lands or National Forest System lands, the Secretary or the Secretary of Agriculture, as the case may be, shall provide advance written notification to each owner of land that is adjacent to the parcel of land to be acquired. To assist in identifying adjacent landowners, and to meet the requirements of this subsection, the Secretary concerned should use the most recently available property tax records.

(g) *OVERSIGHT OF USE OF THIRD-PARTY FACILITATORS.*—(1) If the acquisition process for a parcel of non-Federal lands under this section, section 206, or other applicable law that will become public lands or National Forest System lands involves the use of a third-party facilitator, the Secretary or the Secretary of Agriculture, as the case may be, shall require, as a condition of the approval of the acquisition—

(A) submission of all purchase contracts and related agreements held by the third-party facilitator related to the parcel to be acquired on written request by the appropriate official;

(B) supervisor review of such purchase contracts and related agreements, the purpose of the acquisition, and other terms and conditions of the acquisition; and

(C) a clear statement to Bureau of Land Management and United States Forest Service employees that the Secretary or the Secretary of Agriculture, as the case may be, has determined that all business information submitted under paragraphs (A), (B), and (C) of subsection (d) is confidential and all information covered by the Privacy Act of 1974 (5 U.S.C. 552a) will be protected to the extent allowed by law.

(2) In this subsection, the term “third-party facilitator” means any entity (other than an agent of the United States) whose role in a real estate transaction is to assist the buyer or seller, or both, in reaching agreement in the transaction.

\* \* \* \* \*

#### CONVEYANCES

SEC. 208. (a) *ISSUANCE OF PATENT AND OTHER CONVEYANCE DOCUMENTS.*—The Secretary shall issue all patents or other documents of conveyance after any disposal authorized by this Act.

(b) *OTHER TERMS AND CONDITIONS.*—The Secretary shall insert in any such patent or other document of conveyance he issues, except in the case of land exchanges, for which the provisions of subsection 206(b) of this Act shall apply, such terms, covenants, conditions, and reservations as he deems necessary to insure proper land use and protection of the public interest: Provided, That a conveyance of lands by the Secretary, subject to such terms, covenants, conditions, and reservations, shall not exempt the grantee from compliance with applicable Federal or State law or State land use



plans: Provided further, That the Secretary shall not make conveyances of public lands containing terms and conditions which would, at the time of the conveyance, constitute a violation of any law or regulation pursuant to State and local land use plans, or programs.

(c) *NOTICE TO ADJACENT LANDOWNERS.*—As part of the conveyance of a parcel of public lands or National Forest System lands by sale, exchange, or other disposal method under section 203 or 206 or other applicable law, the Secretary or the Secretary of Agriculture, as the case may be, shall provide advance written notification to each owner of land that is adjacent to the parcel of land to be conveyed. To assist in identifying adjacent landowners, and to meet the requirements of this subsection, the Secretary concerned should use the most recently available property tax records.

(d) *OVERSIGHT OF USE OF THIRD-PARTY FACILITATORS.*—(1) If the process by which a parcel of public lands or National Forest System lands will be conveyed by sale, exchange, or other disposal method under section 203 or 206 or other applicable law, involves the use of a third-party facilitator, the Secretary or the Secretary of Agriculture, as the case may be, shall require, as a condition of the approval of the conveyance—

(A) submission of all purchase contracts and related agreements held by the third-party facilitator related to the Federal land to be conveyed on written request by the appropriate official;

(B) submission to appraisers of contact information for prospective end owners of the Federal land to be conveyed;

(C) supervisor review of such purchase contracts and related agreements, the purpose of the conveyance, and other terms and conditions of the conveyance; and

(D) a clear statement to Bureau of Land Management and United States Forest Service employees that the Secretary or the Secretary of Agriculture, as the case may be, has determined that all business information submitted under paragraphs (A), (B), and (C) of this subsection is confidential and all information covered by the Privacy Act of 1974 (5 U.S.C. 552a) will be protected to the extent allowed by law.

(2) In this subsection, the term “third-party facilitator” means any entity (other than an agent of the United States) whose role in a real estate transaction is to assist the buyer or seller, or both, in reaching agreement in the transaction.

\* \* \* \* \*

## DISSENTING VIEWS

While we understand the sponsor's concern about the need for transparency and accountability, this bill is an overreach that would create confusion and slow down routine land management activities.

The Bureau of Land Management's Cadastral Survey Program updates surveys of federal land using modern technology to ensure the accuracy of records and maps, some of which date back to the 19th Century. This is an involved but necessary process.

A re-survey can lead to a determination that land thought to be private actually belongs to the federal government. This is a frustrating result and the government has a responsibility to communicate clearly about ongoing survey activities and results. Unfortunately, this bill addresses that concern in a manner that is bound to cause confusion and slow down agency planning efforts.

The term 'adjacent land' is extremely vague and makes it difficult to determine which landowners must be notified. This creates an additional burden on agencies and would only serve to generate additional litigation.

The bill also mandates a "right of first refusal" for land resurveyed into federal ownership and reimbursement for structures or other improvements that exist on the land. This blanket right could disrupt land exchanges or other public interest conveyances of public land, and it does not allow for alternative means of resolving an already challenging situation.

We also have concerns with the provision regarding the use of third-party facilitators. As drafted, the bill would make it more difficult to carry out routine exchanges and acquisitions intended to make federal land management more efficient and advance American conservation priorities. Prior to markup, the committee received a letter signed by the American Fly Fishing Trade Association, Backcountry Hunters and Anglers, Izaak Walton League of America, the National Deer Alliance, The Conservation Fund, The Trust for Public Lands, and the Theodore Roosevelt Conservation Partnership outlining concerns with this section of the bill. The letter states that "H.R. 6682 would impose unnecessary bureaucratic requirements on private landowner transitions facilitated by conservation organizations . . . The proposal is likely to cause undue delays, frustrate landowner needs and result in conservation losses that prevent public access."

While we appreciate the sponsor's intent, this bill is a bridge too far and simply creates additional red tape and bureaucratic hurdles designed to slow down land acquisition.

RAÚL M. GRIJALVA,  
*Ranking Member.*  
ALAN LOWENTHAL.  
GRACE F. NAPOLITANO.

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**U.S. House of Representatives**  
 Committee on Agriculture  
 Room 1301, Longworth House Office Building  
 Washington, DC 20515-6001

(202) 225-2171

November 16, 2018

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The Honorable Rob Bishop  
 Chairman  
 Committee on Natural Resources  
 1324 Longworth HOB  
 Washington, D.C. 20515

Dear Mr. Chairman:

Thank you for the opportunity to review H.R.6682, Protection and Transparency for Adjacent Landowners Act. As you are aware, the bill was primarily referred to the Committee on Natural Resources, while the Agriculture Committee received an additional referral.

I recognize and appreciate your desire to bring this legislation before the House in an expeditious manner and, accordingly, I agree to discharge H.R. 6682 from further consideration by the Committee on Agriculture. I do so with the understanding that by discharging the bill, the Committee on Agriculture does not waive any future jurisdictional claim on this or similar matters. Further, the Committee on Agriculture reserves the right to seek the appointment of conferees, if it should become necessary.

I ask that you insert a copy of our exchange of letters into the *Congressional Record* during consideration of this measure on the House floor.

Thank you for your courtesy in this matter and I look forward to continued cooperation between our respective committees.

Sincerely,



K. Michael Conaway  
 Chairman

cc: The Honorable Paul D. Ryan, Speaker  
 The Honorable Collin C. Peterson  
 The Honorable Raul Grijalva  
 The Honorable Thomas J. Wickham, Parliamentarian

ROB BISHOP OF UTAH  
CHAIRMAN

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DEMOCRATIC STAFF DIRECTOR

**U.S. House of Representatives**  
**Committee on Natural Resources**  
**Washington, DC 20515**

November 19, 2018

The Honorable K. Michael Conaway  
Chairman  
Committee on Agriculture  
1301 Longworth HOB  
Washington, DC 20515

Dear Mr. Chairman:

On September 26, 2018, the Committee on Natural Resources ordered favorably reported H.R. 6682, the Protection and Transparency for Adjacent Landowners Act. This bill was additionally referred to the Committee on Agriculture.

Thank you for agreeing not to exercise your referral of the bill so that it may be scheduled for consideration by the Majority Leader. This concession in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on Agriculture represented on the conference committee. Finally, I would be pleased to include our exchange of letters in the bill report and in the Congressional Record.

Thank you for your assistance and the extraordinary cooperation shown by you and your staff over matters of shared jurisdiction. I look forward to further opportunities to work with you this Congress.

Sincerely,



Rob Bishop  
Chairman  
Committee on Natural Resources

cc: The Honorable Paul D. Ryan, Speaker  
The Honorable Kevin McCarthy, Majority Leader  
The Honorable Raul Grijalva, Ranking Member, Committee on Natural Resources  
The Honorable Thomas J. Wickham, Jr., Parliamentarian

