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REPORT
114–466

BAUDETTE COAST GUARD HOUSING CONVEYANCE ACT

MARCH 23, 2016.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. SHUSTER, from the Committee on Transportation and Infrastructure, submitted the following

R E P O R T

[To accompany H.R. 3030]

[Including cost estimate of the Congressional Budget Office]

The Committee on Transportation and Infrastructure, to whom was referred the bill (H.R. 3030) to direct the Commandant of the Coast Guard to convey certain property from the United States to the City of Baudette, Minnesota, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

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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 "Baudette Coast Guard Housing Conveyance Act".

SEC. 2. CONVEYANCE OF CERTAIN PROPERTIES IN THE CITY OF BAUDETTE, MINNESOTA.

(a) CONVEYANCE AUTHORIZED.—The Commandant of the Coast Guard shall convey to the city of Baudette, Minnesota, all right, title, and interest of the United States in and to the covered property, upon payment to the United States of the fair market value of the covered property.

(b) SURVEY.—The exact acreage and legal description of the covered property shall be determined by a survey satisfactory to the Commandant.

(c) FAIR MARKET VALUE.—The fair market value of the covered property shall be—

(1) determined by a real estate appraiser—

(A) selected by the city of Baudette, Minnesota; and

(B) licensed to practice in Minnesota; and

(2) subject to the approval of the Commandant, who, in making such approval, shall consider the requirements under subsection (g).

(d) COSTS OF CONVEYANCE.—The responsibility for all reasonable and necessary costs, including real estate transaction and environmental documentation costs, associated with a conveyance under this section shall be determined by the Commandant and the city of Baudette, Minnesota.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Commandant may require such additional terms and conditions in connection with a conveyance under this section as the Commandant considers appropriate and reasonable to protect the interests of the United States.

(f) DEPOSIT OF PROCEEDS.—Any proceeds received by the United States from a conveyance under this section shall be deposited in the Coast Guard Housing Fund established under section 687 of title 14, United States Code.

(g) CONDITION ON USE.—As a condition of any conveyance under this section, the Commandant shall require that all right, title, and interest in and to the covered property shall revert to the United States if the covered property or any part thereof ceases to be used for—

(1) affordable housing or a purpose related to affordable housing (as defined by the city of Baudette, Minnesota, and the Commandant at the time of conveyance); or

(2) infrastructure that provides a public benefit approved by the city of Baudette, Minnesota.

(h) COVERED PROPERTY DEFINED.—In this section, the term "covered property" means the Federal lands (including all buildings, structures, utilities, and miscellaneous facilities on the lands) that are under the administrative control of the Coast Guard and located at the following addresses:

(1) 416 Hamilton E #7 Baudette, MN 56623.

(2) 414 Hamilton E #6 Baudette, MN 56623.

(3) 412 Hamilton E #5 Baudette, MN 56623.

(4) 410 Hamilton E #4 Baudette, MN 56623.

(i) EXPIRATION.—The authority to convey the covered property under this section shall expire on the date that is 4 years after the date of enactment of this Act.

(j) RULE OF CONSTRUCTION.—Nothing in this section may be construed to affect or limit the application of or obligation to comply with any Federal environmental requirement, including section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)).

PURPOSE OF LEGISLATION

H.R. 3030, the Baudette Coast Guard Housing Conveyance Act, as amended, directs the Commandant of the of the Coast Guard to convey certain property from the United States to the City of Baudette, Minnesota at fair market value for use as affordable public housing or as infrastructure that serves as a public benefit to the City of Baudette, Minnesota.

BACKGROUND AND NEED FOR LEGISLATION

On April 24, 1953 Clark Dodds Lumber Company, a Minnesota Corporation existing under the laws of the State of Minnesota, sold the Baudette housing properties to the United States of America for $3,000.00. The property was under the custody and control of

the Air Force. On August 24, 1981, the Air Force transferred custody and control of the property to the Coast Guard.

In accordance with the Coast Guard Authorization Act of 2010, the Coast Guard is in the process of divesting property, deemed excess to housing mission requirements, in Baudette, Minnesota for fair market value. The Coast Guard received the property through a transfer from the Air Force in 1981. The property in 1981 consisted of eight family housing units on 2.48 acres. The property being divested by the Coast Guard includes four properties including all buildings, structures, utilities, and miscellaneous facilities on the land.

HEARINGS

No hearings were held on H.R. 3030

LEGISLATIVE HISTORY AND CONSIDERATION

On July 10, 2015, Representative Collin Peterson (D–MN) introduced H.R. 3030, Baudette Coast Guard Housing Conveyance Act.

On March 1, 2016, the Committee on Transportation and Infrastructure met in open session to consider H.R. 3030, and ordered the bill, as amended, reported favorably to the House of Representatives by voice vote with a quorum present.

Representative Rick Nolan (D–MN) offered an amendment in the nature of a substitute that kept the intent of the underlying bill, but modified the text to conform to the format used by the Committee for land conveyance bills the Committee has supported.

COMMITTEE VOTES

Clause 3(b) of rule XIII of the Rules of the House of Representatives requires each committee report to include the total number of votes cast for and against on each record vote on a motion to report and on any amendment offered to the measure or matter, and the names of those members voting for and against. There were no recorded votes taken in connection with consideration of H.R. 3030. A motion to order H.R. 3030, as amended, reported favorably to the House was agreed to by voice vote with a quorum present.

COMMITTEE OVERSIGHT FINDINGS

With respect to the requirements of clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in this report.

NEW BUDGET AUTHORITY AND TAX EXPENDITURES

Clause 3(c)(2) of rule XIII of the Rules of the House of Representatives does not apply where a cost estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974 has been timely submitted prior to the filing of the report and is included in the report. Such a cost estimate is included in this report.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

With respect to the requirement of clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 402 of the Congressional Budget Act of 1974, the Committee has received the

enclosed cost estimate for H.R. 3030, as amended, from the Director of the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, March 15, 2016.

Hon. BILL SHUSTER,
Chairman, Committee on Transportation and Infrastructure, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 3030, the Baudette Coast Guard Housing Conveyance Act.

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

Sincerely,

ROBERT A. SUNSHINE
(For Keith Hall, Director).

Enclosure.

H.R. 3030—Baudette Coast Guard Housing Conveyance Act

H.R. 3030 would require the United States Coast Guard (USCG) to sell four properties to the city of Baudette, Minnesota, for their fair market value and would impose conditions on the use of those properties. According to the USCG, the homes affected by the legislation are currently vacant, do not generate any rental income for the agency, and have a total appraised value of $271,000. H.R. 3030 would require the purchaser of the properties to use them for affordable housing to benefit the city. CBO expects that those restrictions would reduce the fair market value of the properties.

Because enacting H.R. 3030 could reduce direct spending by increasing receipts to the government, pay-as-you-go procedures apply. However, CBO estimates that the proceeds from the sale would be insignificant. Enacting the bill would not affect revenues.

CBO estimates that enacting H.R. 3030 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2027.

H.R. 3030 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would benefit the city of Baudette. Any costs incurred by the city would be voluntary.

The CBO staff contact for this estimate is Sarah Puro. The estimate was approved by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

PERFORMANCE GOALS AND OBJECTIVES

With respect to the requirement of clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the performance goals and objectives of this legislation are to authorize the Coast Guard to convey excess property to be used for affordable public housing or as infrastructure that benefits the City of Baudette, Minnesota.

ADVISORY OF EARMARKS

Pursuant to clause 9 of rule XXI of the Rules of the House of Representatives, the Committee is required to include a list of con-

gressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f), and 9(g) of rule XXI of the Rules of the House of Representatives. No provision in the bill includes an earmark, limited tax benefit, or limited tariff benefit under clause 9(e), 9(f), or 9(g) of rule XXI.

DUPLICATION OF FEDERAL PROGRAMS

Pursuant to section 3(g) of H. Res. 5, 114th Cong. (2015), the Committee finds that no provision of H.R. 3030, as amended, establishes or reauthorizes a program of the federal government known to be duplicative of another federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

DISCLOSURE OF DIRECTED RULE MAKINGS

Pursuant to section 3(i) of H. Res. 5, 114th Cong. (2015), the Committee estimates that H.R. 3030, as amended, directs no rule makings.

FEDERAL MANDATE STATEMENT

The Committee adopts as its own the estimate of federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act (Public Law 104–4).

PREEMPTION CLARIFICATION

Section 423 of the Congressional Budget Act of 1974 requires the report of any Committee on a bill or joint resolution to include a statement on the extent to which the bill or joint resolution is intended to preempt state, local, or tribal law. The Committee states that H.R. 3030, as amended, does not preempt any state, local, or tribal law.

ADVISORY COMMITTEE STATEMENT

No new advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act are created by this legislation, as amended.

APPLICABILITY OF LEGISLATIVE BRANCH

The Committee finds that the legislation, as amended, does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act (Public Law 104–1).

SECTION-BY-SECTION ANALYSIS OF LEGISLATION

Section 1. Short title

Section 1 provides that the short title of this Act is to be cited as the "Baudette Coast Guard Housing Conveyance Act".

Section 2. Conveyance of certain properties in the City of Baudette, Minnesota

Section 2(a) authorizes the Commandant to convey to the City of Baudette, Minnesota all right, title, and interest of the United States in the property described in subsection (c) for fair market value as determined by the City of Baudette, Minnesota and approved by the Commandant.

Section 2(b) establishes the conditions for conveyance so that the covered property will be used as affordable housing or for infrastructure that provides a public benefit to the City.

Section 2(c) defines the covered property to be conveyed.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

H.R. 3030 makes no changes in existing law.

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