

CHATTAHOOCHEE-OCONEE NATIONAL FOREST LAND ADJUSTMENT

SEPTEMBER 20, 2016.—Committed to the Committee of the Whole House on the
State of the Union and ordered to be printed

Mr. CONAWAY, from the Committee on Agriculture,
submitted the following

R E P O R T

[To accompany H.R. 470]

[Including cost estimate of the Congressional Budget Office]

The Committee on Agriculture, to whom was referred the bill (H.R. 470) to authorize the sale of certain National Forest System land in the State of Georgia, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

BRIEF EXPLANATION

The Chattahoochee-Oconee National Forest Land Adjustment Act, H.R. 470, authorizes the Secretary of Agriculture to sell or exchange any or all interest of the United States in 30 tracts of National Forest System land in Georgia totaling approximately 3,841 acres.

PURPOSE AND NEED FOR THE LEGISLATION

Currently, the U.S. Forest Service (USFS) owns numerous tracts of land in Georgia that exist as small isolated parcels, disconnected from the core lands of the Chattahoochee-Oconee National Forest. Intervening growth and development hinders efforts to bridge gaps between the core National Forest and outlying lands and, thus, is the primary reason that many of these tracts no longer warrant Federal ownership. The Committee believes managing these tracts for public benefit and use is a waste of taxpayer money.

At the same time, the USFS has identified critical inholdings, edge-holdings, and connections that if added to National Forest

lands, would streamline land management, better protect flora and fauna, and add value to the National Forest as a recreational asset.

H.R. 470, the Chattahoochee-Oconee National Forest Land Adjustment Act of 2015, will allow the sale of these isolated parcels (30 in total; 3,841 acres; as identified as desired disposal by the USFS). The proceeds from the sale of these parcels will go into a Federal account that the USFS may use only to buy critical inholdings from willing sellers. The funds could only be spent inside the existing USFS proclamation boundary in Georgia.

Georgia's lone National Forest is a huge economic generator. Opportunities for hunting, fishing and hiking will improve with the consolidation of Federal lands. H.R. 470 is a pragmatic way to make the Chattahoochee-Oconee National Forest a better place to recreate.

SECTION-BY-SECTION ANALYSIS OF LEGISLATION

Section 1. Short title

Section 1 of the bill designates the title of the bill as the "Chattahoochee-Oconee National Forest Land Adjustment Act of 2015."

Section 2. Findings and definitions

Section 2 of the bill provides Congressional findings related to the public interest of disposing of certain tracts of land in the National Forest System. The section further defines the term "Secretary" as the Secretary of Agriculture.

Section 3. Land conveyance authority

Subsection (a) of section 3 gives the Secretary general authority to sell or exchange rights, title, and interest of the United States in certain National Forest System lands.

Subsection (b) identifies such land as 30 tracts, totaling approximately 3,841 acres, in the Chattahoochee-Oconee National Forest. The subsection further requires maps of such lands to be on file and available for public inspection. Finally, the subsection allows the Secretary to modify boundaries for the purpose of land management considerations.

Subsection (c) requires the Secretary to sell the land by quitclaim deed and allows for the reservation of rights-of-way and other rights necessary for protecting the public interest.

Subsection (d) requires that the land be sold for no less than market value, as determined by either appraisal or competitive bid.

Subsection (e) requires cash consideration for the sale or a cash equalization payment in excess of 25% of the value of land in an exchange.

Subsection (f) establishes method of sale options and allows for solicitations for sale or exchange of land.

Subsection (g) allows the use of brokers or third parties, including the payment of any reasonable commission or fee.

Section 4. Treatment of proceeds

Subsection (a) of section 4 directs that upon the sale of the land, any proceeds be deposited into the Sisk Act fund.

Subsection (b) requires that the Secretary may only use such proceeds to purchase other tracts of land within the State of Georgia.

COMMITTEE CONSIDERATION

I. Hearings

No hearings were held by the Committee on the Chattahoochee-Oconee National Forest Land Adjustment Act of 2015.

II. Full Committee

The Committee on Agriculture met, pursuant to notice, with a quorum present, on September 14, 2016, to consider H.R. 470, the Chattahoochee-Oconee National Forest Land Adjustment Act of 2015.

Chairman Conaway asked unanimous consent that the Subcommittee on Conservation and Forestry be discharged from further consideration of H.R. 470, and without objection, it was so ordered. H.R. 470 was then placed before the Committee for consideration. Without objection, a first reading of the bill was waived and it was open to amendment at any point.

Chairman Conaway, Mr. Peterson, and Mr. Allen were recognized for statements. There being no amendments, Mr. Peterson was recognized to offer a motion that the bill H.R. 470 be reported favorably to the House with recommendation that it do pass. The motion was subsequently approved by voice vote.

At the conclusion of the meeting, Chairman Conaway advised Members that, pursuant to the rules of the House of Representatives, Members had until September 16, 2016 to file any supplemental, minority, additional, or dissenting views with the Committee. Without objection, staff was given permission to make any necessary clerical, technical or conforming changes to reflect the intent of the Committee. Chairman Conaway thanked all the Members and adjourned the meeting.

COMMITTEE VOTES

In compliance with clause 3(b) of rule XIII of the House of Representatives, H.R. 470 was reported by voice vote with a majority quorum present. There was no request for a recorded vote.

COMMITTEE OVERSIGHT FINDINGS

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

BUDGET ACT COMPLIANCE (SECTIONS 308, 402, AND 423)

The provisions of clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a)(1) of the Congressional Budget Act of 1974 (relating to estimates of new budget authority, new spending authority, new credit authority, or increased or decreased revenues or tax expenditures) are not considered applicable. The estimate and comparison required to be prepared by the Director of the Congressional Budget Office under clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and sections 402 and 423 of the Congressional Budget Act of 1974 submitted to the Committee prior to the filing of this report are as follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, September 16, 2016.

Hon. K. MICHAEL CONAWAY,
*Chairman, Committee on Agriculture,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 470, the Chattahoochee-Oconee National Forest Land Adjustment Act of 2015.

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

Sincerely,

KEITH HALL.

Enclosure.

H.R. 470—Chattahoochee-Oconee National Forest Land Adjustment Act of 2015

H.R. 470 would authorize the Secretary of Agriculture to convey, through sale or land exchange, roughly 3,800 acres of National Forest System land in Georgia.

Enacting H.R. 470 would increase offsetting receipts, which are treated as reductions in direct spending, from proceeds generated by the sale of the affected lands and associated direct spending; therefore, pay-as-you-go procedures apply. However, CBO estimates that any net effect on direct spending would be negligible. Enacting the bill would not affect revenues.

CBO expects that the Forest Service would seek to sell the affected lands rather than exchange them for nonfederal forest lands. Based on an analysis of real estate listings for comparable land in northern Georgia, CBO estimates that the affected lands could be sold for an average of about \$5,000 per acre; the receipts from the sale of all 3,800 acres would total about \$20 million. However, because the bill would authorize the Forest Service to retain and spend any proceeds from such sales, the net effect on the federal budget over the 2017–2026 period would be negligible.

CBO estimates that enacting H.R. 470 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2027.

H.R. 470 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 Jeff LaFave. The estimate was approved by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

PERFORMANCE GOALS AND OBJECTIVES

H.R. 470 does not authorize funding, therefore clause 3(c)(4) of rule XIII of the Rules of the House of Representatives is inapplicable.

COMMITTEE COST ESTIMATE

Pursuant to clause 3(d)(2) of rule XIII of the Rules of the House of Representatives, the Committee report incorporates the cost estimate prepared by the Director of the Congressional Budget Office

pursuant to sections 402 and 423 of the Congressional Budget Act of 1974.

ADVISORY COMMITTEE STATEMENT

No advisory committee within the meaning of section 5(b) of the Federal Advisory Committee Act was created by this legislation.

APPLICABILITY TO THE LEGISLATIVE BRANCH

The Committee finds that the legislation 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).

FEDERAL MANDATES STATEMENT

The Committee adopted 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).

earmark statement required by clause 9 of rule XXI of the rules of the house of representatives

H.R. 470 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f), or 9(g) of rule XXI of the Rules of the House of Representatives.

DUPLICATION OF FEDERAL PROGRAMS

This bill does not establish or reauthorize 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

The Committee does not believe that the legislation directs an executive branch official to conduct any specific rule making proceedings within the meaning of 5 U.S.C. 551.