

CLIFTON OPPORTUNITIES NOW FOR VIBRANT ECONOMIC
YIELDS ACT

JANUARY 30, 2024.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. WESTERMAN, from the Committee on Natural Resources,
submitted the following

R E P O R T

[To accompany H.R. 2997]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 2997) to direct the Secretary of the Interior to convey to Mesa County, Colorado, certain Federal land in Colorado, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends 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 “Clifton Opportunities Now for Vibrant Economic Yields Act” or as the “CONVEY Act”.

SEC. 2. CONVEYANCE OF FEDERAL LAND TO MESA COUNTY, COLORADO.

(a) **DEFINITIONS.**—In this section:

(1) **CLIFTON PARCEL.**—The term “Clifton parcel” means the approximately 31.1 acres of Federal land depicted as “31.1 Acres to be Conveyed to Mesa County” on the map titled “Clifton Opportunities Now for Vibrant Economic Yields (CONVEY) Act” and dated April 19, 2023.

(2) **COUNTY.**—The term “County” means Mesa County, Colorado.

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

(b) **IN GENERAL.**—Notwithstanding the Secretarial Order dated August 26, 1902, and the Secretarial Order dated July 25, 1908, the Secretary shall convey to the County, as soon as practicable, all rights, title, and interest of the United States in and to the Clifton parcel.

(c) **REQUIREMENTS.**—The conveyance under this section shall be—

(1) subject to valid existing rights; and

(2) for not less than fair market value, as determined in accordance with subsection (d).

(d) **APPRAISAL.**—

- (1) IN GENERAL.—The fair market value of the Clifton parcel shall be determined by an independent appraisal obtained by the Secretary.
- (2) APPRAISAL STANDARDS.—The appraisal required by paragraph (1) shall be conducted in accordance with the—
- (A) Uniform Appraisal Standards for Federal Land Acquisitions; and
 - (B) Uniform Standards of Professional Appraisal Practice.
- (e) COSTS OF CONVEYANCE.—The County shall pay all costs associated with the conveyance required under subsection (b), including all costs associated with any survey conducted for the purpose of accomplishing such conveyance.
- (f) PROCEEDS FROM CONVEYANCE.—The proceeds from the conveyance required under subsection (b) shall be—
- (1) deposited into the Federal Land Disposal Account established by the Federal Land Transaction Facilitation Act (43 U.S.C. 2301 et seq.); and
 - (2) available for expenditure under that Act.
- (g) MAP AND LEGAL DESCRIPTION.—
- (1) IN GENERAL.—As soon as practicable after the date of the enactment of this Act, the Secretary shall finalize a map and a legal description of all land to be conveyed under this Act.
 - (2) CONTROLLING DOCUMENT.—In the case of a discrepancy between the map and the legal description created under paragraph (1), the map shall control.
 - (3) CORRECTIONS.—The Secretary and the County, by mutual agreement, may correct any minor errors in the map or the legal description created under paragraph (1).
 - (4) MAP ON FILE.—The map and the legal description created under paragraph (1) shall be kept on file and available for public inspection in each appropriate office of the Bureau of Land Management.

PURPOSE OF THE LEGISLATION

The purpose of H.R. 2997 is to direct the Secretary of the Interior to convey to Mesa County, Colorado, certain Federal land in Colorado, and for other purposes.

BACKGROUND AND NEED FOR LEGISLATION

The federal government owns approximately 640 million acres, or 28 percent, of land in the United States. The Bureau of Land Management (BLM) is the largest federal land management agency and manages 244 million acres of public lands, heavily concentrated (99 percent) in eleven Western continental states and Alaska. While the BLM is a large landowner, data suggests it struggles to manage the land it has. The BLM's deferred maintenance backlog reached \$4.7 billion in fiscal year (FY) 2022, up 335 percent from FY 2019. In states with large federal footprints, local communities often lack power in decision making over the land in their backyards. When non-federal government entities, such as a city or county, would like to expand, the large footprint of federal land ownership surrounding those communities often stifles development and growth.

The U.S. Constitution grants Congress the authority to acquire and dispose of federal property. Congress granted BLM authority to acquire and dispose of land under several statutes, most notably the Federal Land Policy and Management Act of 1976 (FLPMA). While the BLM can dispose of land administratively, this process can take several years. To expedite the process, Congress can enact legislation to direct the agency to complete a land conveyance. These expedited conveyances are a win-win, as growing rural communities can expand and develop and the federal government can focus its limited resources on managing more high-value lands.

The State of Colorado has over 24 million acres, or over 36 percent, of land owned by the federal government. Specifically, in Mesa County, the federal government owns over 72 percent of the

land. The population of Mesa County was 158,363 in 2022. As the population continues to grow, the county is significantly limited in the land it has available to develop.

H.R. 2997 would convey 31.1 acres from the BLM to Mesa County, Colorado. The land sits in a prime location along Interstate 70. The land would be used for economic development in Clifton, a town in central Mesa County and a suburb of Grand Junction. Once Mesa County is able to secure the land from the BLM, the County plans to establish an economic development board to solicit input from stakeholders and pursue development options that will incentivize industry and business in the Clifton area. Even though this parcel has been identified for disposal by the BLM, meaning the agency deemed it is no longer serving the public interest, this conveyance has been held up for over five years. This bill would expedite the process to convey the land out of federal ownership to provide economic growth to the local community.

COMMITTEE ACTION

H.R. 2997 was introduced on April 28, 2023, by Rep. Lauren Boebert (R-CO). The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on Federal Lands. On June 22, 2023, the Subcommittee on Federal Lands held a hearing on the bill. On July 26, 2023, the Committee on Natural Resources met to consider the bill. The Subcommittee on Federal Lands was discharged from further consideration of H.R. 2997 by unanimous consent. Rep. Boebert (R-CO) offered an amendment in the nature of a substitute to designated Boebert ANS 093. The amendment in the nature of a substitute offered by Rep. Boebert was adopted by voice vote. The bill, as amended, was then ordered favorably reported to the House of Representatives by voice vote.

HEARINGS

For the purposes of clause 3(c)(6) of House rule XIII, the following hearing was used to develop or consider this measure: hearing by the Subcommittee on Federal Lands held on June 22, 2023.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

Section 1 establishes the short title of the bill as the “Clifton Opportunities Now for Vibrant Economic Yields Act” or the “CONVEY Act.”

Section 2. Conveyance of federal land to Mesa County, Colorado

Section 2 specifies that the land to be conveyed is 31.1 acres of federal land known as the Clifton parcel and requires the Secretary of the Interior to convey the parcel as soon as practicable to Mesa County, subject to valid existing rights. The land exchange is to be done at fair market value based on the appraisal, and the County will pay the costs associated with the conveyance and for any survey needed.

Section 2 also directs that proceeds from the conveyance will be deposited into Federal Land Disposal Account under the Federal Land Transaction Facilitation Act (FLTFA). It also sets guidelines

for finalizing the map of the conveyance and provides for corrections to the map, if mutually agreed upon.

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:

H.R. 2997, CONVEY Act			
As ordered reported by the House Committee on Natural Resources on July 26, 2023			
By Fiscal Year, Millions of Dollars	2024	2024-2028	2024-2033
Direct Spending (Outlays)	0	*	*
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	*	*
Spending Subject to Appropriation (Outlays)	*	*	not estimated
Increases <i>net direct spending</i> in any of the four consecutive 10-year periods beginning in 2034?	No	Statutory pay-as-you-go procedures apply? Yes	
		Mandate Effects	
Increases <i>on-budget deficits</i> in any of the four consecutive 10-year periods beginning in 2034?	No	Contains intergovernmental mandate? No	
		Contains private-sector mandate? No	
* = between -\$500,000 and \$500,000.			

H.R. 2997 would direct the Bureau of Land Management to convey a 31-acre parcel of federal land to Mesa County, Colorado, at no less than market value.

Proceeds from the conveyance would be classified in the budget as offsetting receipts, which are recorded as reductions in direct spending. Those receipts would be deposited into the Federal Land Disposal Account where they could be spent without further appropriation to purchase eligible land. Based on typical time frames for such conveyances, CBO expects that the transfer would take several years to complete. Using information on land values from the Mesa County Assessor's Office, CBO estimates that any proceeds from the sale would be insignificant and would be spent shortly thereafter; thus, the net effect on direct spending would be negligible.

Under the bill, Mesa County would pay for all costs associated with the conveyance. CBO expects that some administrative costs incurred to update maps would not be reimbursed by the county,

but we estimate those costs would be insignificant; any spending would be subject to the availability of appropriated funds.

The CBO staff contact for this estimate is Emma Uebelhor. The estimate was reviewed by H. Samuel Papenfuss, Deputy Director of Budget Analysis.

PHILLIP L. SWAGEL,
Director, Congressional Budget Office.

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 direct the Secretary of the Interior to convey to Mesa County, Colorado, certain Federal land in Colorado, and for other purposes.

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.

UNFUNDED MANDATES REFORM ACT STATEMENT

According to the Congressional Budget Office, H.R. 2997 contains no unfunded mandates as defined by the Unfunded Mandates Reform Act.

EXISTING PROGRAMS

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.

APPLICABILITY TO 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.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

Any preemptive effect of this bill over state, local, or tribal law is intended to be consistent with the bill's purposes and text and the Supremacy Clause of Article VI of the U.S. Constitution.

CHANGES IN EXISTING LAW

As ordered reported by the Committee on Natural Resources, H.R. 2997 makes no changes in existing law.