

Congress of the United States
House of Representatives
Washington, DC 20515-0301

March 22, 2016

The Honorable Ken Calvert
Chairman
Committee on Appropriations
Subcommittee on Interior,
Environment, and Related Agencies
U.S. House of Representatives
B-308 Rayburn HOB
Washington, DC 20515

The Honorable Betty McCollum
Ranking Member
Committee on Appropriations
Subcommittee on Interior,
Environment, and Related Agencies
U.S. House of Representatives
1016 Longworth HOB
Washington, DC 20515

Dear Chairman Calvert and Ranking Member McCollum:

As you begin work on the fiscal year (FY) 2017 Interior, Environment and Related Agencies Appropriations bill, we urge you to include language that would require public land management agencies to provide an updated report to Congress on federal lands that may be suitable for disposal or exchange.

The last report of this nature was commissioned in 1997 at the direction of Congress. The Bureau of Land Management (BLM) acknowledged this fact in a statement for the record on H.R. 2657 on October 3, 2013. In this testimony, the BLM stated, "The Department of the Interior's May 27, 1997 report to Congress included a list of BLM-managed lands that had been identified for disposal through the BLM's land use planning process, while excluding lands that had been withdrawn, segregated, or identified for other specific purposes detailed in the report. The report was a general county-by-county summary and did not provide individual parcel information, though it did include a list of potential impediments to disposal, including lack of legal access; the presence of mineral leases and mining claims; threatened and endangered species habitat; historical and cultural values; hazardous material contamination; and title conflicts. No appraisals or surveys were conducted of the lands included in the 1997 report."

The Congressional Research Service issued a report on December 29, 2014 entitled Federal Land Ownership: Overview and Data. In that report CRS stated, "The federal government owns roughly 640 million acres, about 28% of the 2.27 billion acres of land in the United States...The

BLM manages 247.3million acres of public land and administers about 700 million acres of federal subsurface mineral estate throughout the nation.... The [Forest Service] manages 192.9 million acres also for multiple uses and sustained yields of various products and services... Federal land ownership is concentrated in the West. Specifically, 61.2% of Alaska is federally owned, as is 46.9% of the 11 coterminous western states. By contrast, the federal government owns 4.0% of lands in the other states.”

CRS issued a subsequent a report on May 19, 2015 entitled Federal Land Ownership: Acquisition and Disposal Authorities. In that report CRS stated, “The BLM has relatively broad authority for both acquisitions and disposals under the Federal Land Policy and Management Act of 1976 (FLPMA)...The [Forest Service] has various authorities to dispose of land, but they are relatively constrained and infrequently used.”

This massive concentration of federal land in certain states has generated considerable controversy. The inability for counties to collect local taxes on public land is particularly burdensome and has created significant challenges for local communities, especially as counties often provide critical services on these very lands. Local property and sales taxes typically fund county governments allowing them to provide essential services like law enforcement, infrastructure and education needs. Higher concentrations of federal land result in very limited resources for such activities.

It’s been nearly 20 years since the Department of Interior provided Congress with a detailed list of federal lands potentially available for disposal. It’s far past time that we took inventory and that federal land management agencies provided Congress with a detailed list of lands potentially suitable for disposable or exchange. There are lands under the jurisdiction of public land management agencies that could be consolidated or used more appropriately.

Accordingly, we ask that you include language similar to the following:

REPORT TO DETERMINE FEASIBILITY OF ADDITIONAL LAND

Sec. ____ . (1) IN GENERAL.—The Secretary of the Interior, in in cooperation with the Secretary of Agriculture, shall conduct an investigation to determine what, if any, unreserved and unappropriated Federal lands(or mineral interests in any such lands) under the administrative jurisdiction of the Secretary concerned are suitable for disposal or exchange.

(2) PUBLIC ACCESS.—In carrying out this sub-section, the Secretary concerned shall consider that in disposing of lands, the Secretary concerned shall retain such interest in the lands as may be necessary to ensure that the general public is not precluded from reasonable access to the lands for purposes of fishing, hunting, or other recreational uses.

(3) REPORT.—Not later than 4 years after the date of the enactment of this Act, and every 7 years thereafter, the Secretary concerned shall make publicly available, including on the Internet, a report describing the results of the investigation conducted under this subsection. The report shall describe the specific parcels identified under this subsection, establish the priorities for disposal or exchange among the parcels, and estimate the acreage of the parcels.

(4) SECRETARY CONCERNED.—The term “Secretary concerned” means— (A) the Secretary of the Interior when referring to lands under the jurisdiction of that Secretary; and (B) the Secretary of Agriculture when referring to lands under the jurisdiction of that Secretary.

We thank you for your consideration of this request, and for your leadership on the committee.

Sincerely,

A handwritten signature in blue ink that reads "Paul A. Gosar, D.D.S." with a large, stylized initial "P" and "G".

Paul A. Gosar, D.D.S.
Member of Congress

A handwritten signature in blue ink that reads "Crescent Hardy" in a cursive script.

Crescent Hardy
Member of Congress