

AUTHORIZING APPROPRIATIONS FOR THE BUREAU OF
LAND MANAGEMENT FOR EACH OF THE FISCAL YEARS
1997 THROUGH 2002

JULY 8, 1996.—Committed to the Committee of the Whole House on the State of
the Union and ordered to be printed

Mr. YOUNG of Alaska, from the Committee on Resources,
submitted the following

REPORT

[To accompany H.R. 3290]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 3290) to authorize appropriations for the Bureau of Land Management for each of the fiscal years 1997 through 2002, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of H.R. 3290 is to authorize appropriations for the Bureau of Land Management (BLM) of the Department of the Interior for each of fiscal years 1997 through 2002.

BACKGROUND AND NEED FOR LEGISLATION

The Federal Land Management Policy Act of 1976 (FLPMA) required that the BLM be reauthorized by Congress every four years beginning in 1978. Pursuant to FLPMA, one quadrennial reauthorization was enacted in 1978 and expired in 1982. The BLM is the only agency in the Department of the Interior that is not permanently authorized. Since 1982, the BLM has been operating without an authorization. Annual appropriations have continued only because the House has adopted rules waiving points of order against consideration of appropriations for the unauthorized BLM programs.

In 1989, the then Interior Appropriations Subcommittee Chairman Sidney R. Yates (D-IL) asked Congressman Bruce F. Vento (D-MN) to attempt to reauthorize BLM. Although this effort began initially as a “clean” four year authorization, it quickly degenerated into a vehicle that contained some of the most radical agenda items of the national preservation lobby. Although these authorization bills passed the House in 1989 and 1991, they quickly died in the Senate because of militant opposition by Republican Senators on the Energy and Natural Resources Committee.

On May 25, 1993, the Subcommittee on National Parks, Forests and Public Lands held a hearing on H.R. 1603, a lengthy bill that contained very controversial provisions regarding buffer zones, RS 2477 rights-of-way, biological diversity, and national conservation areas. At the hearing, the Director of the BLM requested the agency be reauthorized for one year to enable the new Administration to provide more meaningful legislative input toward a longer reauthorization bill in the future.

As a result of the hearing, Congressman Vento introduced H.R. 2530 on June 24, 1993. The bill amended FLPMA to provide for a “clean” reauthorization until October 1, 1994. H.R. 2530 passed the House on September 13, 1993, under Suspension of the Rules, but died at the end of the 103rd Congress because it was never considered in the Senate.

Another effort to provide a “clean” authorization was started in the 104th Congress. H.R. 1077 was introduced by Congressman James V. Hansen (R-UT). Although H.R. 1077 passed the Full Resources Committee by voice vote on March 29, 1995, because of a controversy regarding the bill report, the Committee was unable to obtain consideration of H.R. 1077 on the House floor. Therefore, Congressman Wes Cooley (R-OR) introduced H.R. 3290, another clean reauthorization bill similar to the Resources Committee-passed H.R. 1077.

COMMITTEE ACTION

H.R. 3290 was introduced on April 23, 1996, by Congressman Wes Cooley and cosponsored by Congressmen Don Young (R-AK), James V. Hansen and Ralph Regula (R-OH). The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on National Parks, Forests and Lands. On March 9, 1995, the Subcommittee held a hearing on H.R. 1077, which is nearly identical to H.R. 3290, where Acting Director Dombeck of the BLM testified in support of H.R. 1077.

On June 19, 1996, the Full Resources Committee met to mark up H.R. 3290. The Committee discharged the bill from the Subcommittee and ordered it favorably reported to the House of Representatives by voice vote.

SECTION-BY-SECTION ANALYSIS

The bill would amend FLPMA to authorize BLM appropriations for six fiscal years, 1997 through 2002.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

With respect to the requirements of clause 2(1)(3) of Rule XI of the Rules of the House of Representatives, and clause 2(b)(1) of Rule X of the Rules of the House of Representatives, the Committee on Resources' oversight findings and recommendations are reflected in the body of this report.

INFLATIONARY IMPACT STATEMENT

Pursuant to clause 2(1)(4) of Rule XI of the Rules of the House of Representatives, the Committee estimates that the enactment of H.R. 3290 will have no significant inflationary impact on prices and costs in the operation of the national economy.

COST OF THE LEGISLATION

Clause 7(a) of Rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out H.R. 3290. However, clause 7(d) of that Rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 403 of the Congressional Budget Act of 1974.

COMPLIANCE WITH HOUSE RULE XI

1. With respect to the requirement of clause 2(1)(3)(B) of Rule XI of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, H.R. 3290 does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

2. With respect to the requirement of clause 2(1)(3)(D) of Rule XI of the Rules of the House of Representatives, the Committee has received no report of oversight findings and recommendations from the Committee on Government Reform and Oversight on the subject of H.R. 3290.

3. With respect to the requirement of clause 2(1)(3)(C) of Rule XI of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for H.R. 3290 from the Director of the Congressional Budget Office.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, June 27, 1996.

Hon. DON YOUNG,
*Chairman, Committee on Resources,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 3290, a bill to authorize appropriations for the Bureau of Land Management for each of the fiscal years 1997 through 2002.

Enacting H.R. 3290 would not affect direct spending or receipts. Therefore, pay-as-you-go procedures would not apply to the bill.

If you wish further details on this estimate, we will be pleased to provide them.

Sincerely,

JUNE E. O'NEILL, *Director*.

Enclosure.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

1. Bill number: H.R. 3290.

2. Bill title: A bill to authorize appropriations for the Bureau of Land Management for each of the fiscal years 1997 through 2002.

3. Bill status: As ordered reported by the House Committee on Resources on June 19, 1996.

4. Bill purpose: H.R. 3290 would authorize the appropriation of such sums as may be necessary to carry out the activities of the Bureau of Land Management (BLM) for six fiscal years, 1997 through 2002.

5. Estimated cost to the Federal Government: The following table shows estimated authorization levels for all BLM accounts authorized by the Federal Land Policy and Management Act of 1976 (FLPMA). Because the bill does not provide specific authorization levels for these accounts, the table shows two alternative sets of authorization levels: the 1996 appropriations without any adjustment for inflation and the 1996 appropriations with adjustment for inflation. Outlay estimates are based on historical spending rates for the affected BLM programs and assume that appropriations will be provided before the start of each fiscal year.

[By fiscal year, in millions of dollars]

	1996	1997	1998	1999	2000	2001	2002
Projected spending under current law:							
Budget authority ¹	596	0	0	0	0	0	0
Estimated outlays	620	115	15	1	0	0	0
WITHOUT ADJUSTMENT FOR INFLATION							
Proposed changes:							
Estimated authorization level	0	596	596	596	596	596	596
Estimated outlays	0	498	589	596	596	596	596
Projected spending under H.R. 3290:							
Estimated authorization level ¹	596	596	596	596	596	596	596
Estimated outlays	620	613	605	597	596	596	596
WITH ADJUSTMENT FOR INFLATION							
Proposed changes:							
Estimated authorization level	0	617	640	661	683	707	731
Estimated outlays	0	516	629	657	679	703	727
Projected spending under H.R. 3290:							
Estimated authorization level ¹	596	617	640	661	683	707	731
Estimated outlays	620	631	645	658	679	703	727

¹ The 1996 level is the amount actually appropriated for programs authorized by this bill.

The costs of this bill fall within budget function 300.

6. Basis of estimate: Under current law, authorizations for BLM spending expired in 1982 for the accounts authorized by FLPMA. Congress has continued to provide funds for these accounts in annual appropriations, bills, however. BLM accounts authorized by FLPMA are (1) Management of Lands and Resources, (2) Construc-

tion and Access, (3) Range Improvements, (4) Service Charges, Deposits and Forfeitures, and (5) Miscellaneous Trust Funds. Appropriations for these five accounts total \$596 million in fiscal year 1996. Other BLM accounts not authorized by FLPMA—and which would not, therefore, be affected by enactment of H.R. 3290—are excluded from this estimate.

7. Pay-as-you-go considerations: None.

8. Estimated cost to State, local, and tribal governments: H.R. 3290 contains no intergovernmental mandates as defined in Public Law 104-4 and would impose no costs on State, local, or tribal governments.

9. Estimated impact on the private sector: This bill would impose no new private-sector mandates as defined in Public Law 104-4.

10. Previous CBO estimate: None.

11. Estimate prepared by: Federal Cost Estimate: Victoria V. Heid. State and Local Government Impact: Marjorie Miller. Private-Sector Impact: Amy Downs.

12. Estimate approved by: Robert A. Sunshine (for Paul N. Van de Water, Assistant Director for Budget Analysis).

COMPLIANCE WITH PUBLIC LAW 104-4

H.R. 3290 contains no unfunded mandates.

DEPARTMENTAL REPORTS

The Committee received a favorable report on H.R. 3290 from the Department of the Interior on June 18, 1996. No other reports have been received on H.R. 3290.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, DC, June 18, 1996.

Re H.R. 3290—To authorize appropriations for the Bureau of Land Management for each of the fiscal years 1997 through 2002.

Hon. DON YOUNG,
*Chairman, Committee on Resources,
House of Representatives, Washington, DC.*

DEAR CHAIRMAN YOUNG: Thank you for the opportunity to comment on H.R. 3290, legislation that would amend the Federal Land Policy and Management Act of 1976 (FLPMA) to authorize the appropriation of such sums as may be necessary to carry out the activities of the Bureau of Land Management (BLM) for six fiscal years—1997 through 2002. The Department of the Interior strongly supports authorization of the BLM, and specifically supports the authorization provided in H.R. 3290.

FLPMA required that the BLM be reauthorized by Congress every four years, beginning in 1978. Pursuant to FLPMA, one quadrennial reauthorization was enacted in 1978 and expired in 1982. The BLM is the only Congressionally-chartered agency in the Department of the Interior and the only land managing agency in the Federal government that is not permanently authorized. This has led to uncertainty and confusion, and required the House of Representatives to suspend its rules in order to appropriate funds for the Bureau's programs.

The BLM manages 270 million acres of public lands and over 570 million acres of mineral estate. Its mission is to sustain the health, diversity, and productivity of these lands and waters for the use and enjoyment of present and future generations. The Bureau works closely with local communities, States, users of the public lands, and others to provide the American people with multiple social, environmental, economic, recreational, aesthetic, and spiritual benefits.

The proposed legislation will help the BLM to operate effectively and efficiently. It will eliminate the uncertainty that has been present the past few years, as the House of Representatives has had to adopt rules waiving points of order against consideration of appropriations for an unauthorized bureau. In short, the Department of the Interior strongly supports passage of H.R. 3290.

Sincerely,

BOB ARMSTRONG,
*Assistant Secretary, Land
and Minerals Management.*

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3 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 (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

**SECTION 318 OF THE FEDERAL LAND POLICY AND
MANAGEMENT ACT OF 1976**

APPROPRIATION AUTHORIZATION

SEC. 318. (a) There are hereby authorized to be appropriated such sums as are necessary to carry out the purposes and provisions of this Act, but no amounts shall be appropriated to carry out after **【October 1, 1978,】** *October 1, 2002*, any program, function, or activity of the Bureau under this or any other Act unless such sums are specifically authorized to be appropriated as of the date of approval of this Act or are authorized to be appropriated in accordance with the provisions of subsection (b) of this section.

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