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BLACK HILLS NATIONAL FOREST

NOVEMBER 2, 1999,—Ordered to be printed

Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, submitted the following

REPORT

[To accompany S. 1599]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 1599) to authorize the Secretary of Agriculture to sell or exchange all or part of certain administrative sites and other land in the Black Hills National Forest and to use funds derived from the sale or exchange to acquire replacement sites and to acquire or construct administrative improvements in connection with the Black Hills National Forest, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE

The purpose of S. 1599 is to authorize the Secretary of Agriculture to sell or exchange all or part of certain administrative sites and other land in the Black Hills National Forest, and to use funds derived from the sale or exchange to acquire replacement sites and to acquire or construct administrative improvements on the Black Hills National Forest.

BACKGROUND AND NEED

The bill authorizes the Secretary of Agriculture to sell or exchange property on the Black Hills National Forest in order to acquire new property for the purpose of constructing two new district offices for the forest.

The Forest Service consolidated the Black Hills National Forest's seven Ranger Districts into four districts. As a result, the Pactola/Harney and Spearfish/Nemo Ranger Districts are each currently managed by one District Ranger, but use two offices. Combining

these four separate offices into two district offices would save money, be more efficient, and ensure good customer service for users of the forest.

One of the new district offices would be located on federally owned property in Spearfish Canyon and house the Spearfish/Nemo Ranger District employees. The other new district office would be located on property to be procured near Rapid City, and would house the Pactola/Harney Ranger District and the Rapid City Research Station employees.

Funds necessary for the implementation of this legislation can be made available by selling property that will be excess after the construction of the new offices. However, the legislation does authorize additional funds, if necessary, to complete this project.

LEGISLATIVE HISTORY

S. 1599 was introduced by Senators Daschle and Johnson on September 16, 1999. The Subcommittee on Forests and Public Land Management held a hearing on S. 1599 on October 14, 1999. At the business meeting on October 20, 1999, the Committee on Energy and Natural Resources ordered S. 1599 favorably reported.

COMMITTEE RECOMMENDATIONS AND TABULATION OF VOTES

The Senate Committee on Energy and Natural Resources, in open business session on October 20, 1999, by a voice vote of a quorum present, recommends that the Senate pass S. 1599, without amendment.

SECTION-BY-SECTION ANALYSIS

Section (1) allows the Secretary of Agriculture to sell or exchange approximately 367 acres of identified parcels of land in the State of South Dakota, and may accept cash equalization in excess of 25 percent of the value of the land. This section also authorizes the Secretary to solicit offers as necessary and reject inadequate offers.

Section (2) requires the Secretary to use funds received through sale or by cash equalization from an exchange for the acquisition of land in South Dakota and for the acqusition or construction of administrative improvements for the Black Hills National Forest.

Section (3) authorizes appropriations necessary to carry out the Act.

COST AND BUDGETARY CONSIDERATIONS

The following estimate of costs of this measure has been provided by the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, October 29, 1999.

Hon. FRANK H. MURKOWSKI,
Chairman, Committee on Energy and Natural Resources
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 1599, a bill to authorize the Secretary of Agriculture to sell or exchange all or part of certain administrative sites and other land in the Black Hills National

Forest and to use funds derived from the sale or exchange to acquire replacement sites and to acquire or construct administrative improvements in connection with the Black Hills National Forest.

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

Sincerely,

BARRY B. ANDERSON
(For Dan L. Crippen, Director).

Enclosure.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

S. 1599—A bill to authorize the Secretary of Agriculture to sell or exchange all or part of certain administrative sites and other land in the Black Hills National Forest and to use funds derived from the sale or exchange to acquire replacement sites and to acquire or construct administrative improvements in connection with the Black Hills National Forest

CBO estimates that implementing S. 1599 would increase offsetting receipts by about $1 million a year for 2000 and 2001, and increase discretionary spending by about $2 million over the 2001–2004 period. Because S. 1599 would affect offsetting receipts (a credit against direct spending), pay-as-you-go procedures would apply. This bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would have no significant impact on the budgets of state, local, or tribal governments.

S. 1599 would authorize the Secretary of Agriculture to sell or exchange about 367 acres in the Black Hills National Forest in South Dakota, and to accept cash equalization payments up to the full value of the land. (Under current law, cash equalization payments in a land exchange of unequal value may not exceed 25 percent of the total value of the land.) Based on information from the Forest Service, CBO estimates that enacting the bill would result in receipts of about $2 million over the 2000–2001 period, from the sale of land.

Any funds received by the Forest Service under S. 1599 would be deposited into the Sisk Act Fund. S. 1599 would authorize the use of such deposits, subject to appropriation, to acquire land in South Dakota or to construct improvements in the Black Hills National Forest. Based on information from the Forest Service. CBO estimates that the agency would spend $2 million over the 2001–2004 period, assuming appropriation of the necessary amounts.

The CBO staff contact is Victoria Heid Hall. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out S. 1599. The bill is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of S. 1599, as ordered reported.

EXECUTIVE COMMUNICATIONS

On October 20, 1999, the Committee on Energy and Natural Resources requested legislative reports from the Department of Agriculture and the Office of Management and Budget setting forth Executive agency recommendations on S. 1599. These reports had not been received at the time the report on S. 1599 was filed. When the reports become available, the Chairman will request that they be printed in the Congressional Record for the advice of the Senate. The testimony provided by the Forest Service at the Subcommittee hearing follows:

STATEMENT OF SANDRA H. KEY, ASSOCIATE DEPUTY CHIEF, PROGRAMS AND LEGISLATION, FOREST SERVICE, DEPARTMENT OF AGRICULTURE

Thank you for your invitation to testify at this hearing today on S. 1599, a bill to authorize the Secretary of Agriculture to sell or exchange all or part of certain administrative sites and other land in the black Hills National Forest. I appreciate the opportunity to join you today.

S. 1599, SALE OR EXCHANGE OF ADMINISTRATIVE SITES ON THE BLACK HILLS NATIONAL FOREST

We support S. 1599, which would authorize the Secretary of Agriculture to sell or exchange all or part of certain administrative sites and other land in the Black Hills National forest.

Specifically, the bill would authorize the sale or exchange of nine parcels totalling approximately 367 acres. The bill would also authorize the Secretary to deposit any funds received through the sale or exchange of these properties into the fund commonly known as the "Sisk Act", which would then be available, upon appropriation, for acquisition of other lands in the State of South Dakota and the acquisition or construction of administrative improvements in connection with the Black Hills National Forest.

CLOSING

Mr. Chairman, we support S. 1599, a bill to authorize the Secretary of Agriculture to sell or exchange all or part of certain administrative sites and other land in the Black Hills National Forest.

This concludes my statement, and I would be happy to answer any questions you and any Members of the Subcommittee might have.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by the bill S. 1599, as ordered reported.

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