

BOUNDARY MODIFICATION AND TRANSFER OF ADMINISTRATIVE JURISDICTION, CIBOLA NATIONAL FOREST, NEW MEXICO

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APRIL 16, 2012.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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Mr. HASTINGS of Washington, from the Committee on Natural Resources, submitted the following

R E P O R T

[To accompany H.R. 491]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 491) to modify the boundaries of Cibola National Forest in the State of New Mexico, to transfer certain Bureau of Land Management land for inclusion in the national forest, and for other purposes, 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. 491 is to modify the boundaries of Cibola National Forest in the State of New Mexico, and to transfer certain Bureau of Land Management land for inclusion in the national forest.

BACKGROUND AND NEED FOR LEGISLATION

H.R. 491 would direct a transfer of lands between the Bureau of Land Management (BLM) and the U.S. Forest Service. The BLM parcel is to be turned over to the Forest Service to be included in the Cibola National Forest, and is comprised of 917 acres known as the Crest of Montezuma. The parcel has been described as being fairly remote from current BLM managed areas and can be better managed by the Forest Service. This legislation simply adjusts the boundaries of the Cibola National Forest in New Mexico to provide for the inclusion of the Crest of Montezuma.

## COMMITTEE ACTION

H.R. 491 was introduced on January 26, 2011, by Congressman Martin Heinrich (D–NM). The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on National Parks, Forests and Public Lands. On February 3, 2012, the Subcommittee held a hearing on the bill. On February 29, 2012, the Full Natural Resources Committee met to consider the bill. The Subcommittee on National Parks, Forests and Public Lands was discharged by unanimous consent. No amendments were offered and the bill was then ordered favorably reported to the House of Representatives by voice vote.

## 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

1. Cost of Legislation. Clause 3(d)(1) 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 this bill. However, clause 3(d)(2)(B) 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 402 of the Congressional Budget Act of 1974. Under clause 3(c)(3) of rule XIII 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 this bill from the Director of the Congressional Budget Office:

*H.R. 491—A bill to modify the boundaries of Cibola National Forest in the State of New Mexico, to transfer certain Bureau of Land Management land for inclusion in the national forest, and for other purposes*

H.R. 491 would transfer administrative jurisdiction of certain federal land from the Bureau of Land Management (BLM) to the Forest Service. The bill also would prohibit certain activities, including mineral leasing, from taking place on the affected land. Finally, the bill would authorize the Secretary of Agriculture to purchase private land located within the boundaries of the Cibola National Forest. Based on information provided by the affected agencies, CBO estimates that enacting the legislation would have no significant impact on the federal budget. Enacting H.R. 491 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

Under the bill, the Forest Service would assume responsibility for about 900 acres of land currently administered by BLM. The bill would prohibit mineral leasing and certain other activities on the affected lands. Because those lands are not expected to generate receipts over the next 10 years from activities that would be prohibited under the bill, CBO estimates that implementing the bill would not affect direct spending over the next decade.

CBO also estimates that implementing H.R. 491 would have no significant impact on discretionary spending. The affected lands are currently managed by the federal government and would require no additional funds to administer. In addition, based on information from BLM, CBO estimates that purchasing private lands under the bill would cost less than \$200,000, assuming the availability of appropriated funds.

H.R. 491 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

The CBO staff contact for this estimate is Jeff LaFave. The estimate was approved by Theresa Gullo, Deputy Assistant Director for Budget Analysis.

2. Section 308(a) of Congressional Budget Act. As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures. Based on information provided by the affected agencies, the Congressional Budget Office estimates that enacting the legislation would have no significant impact on the federal budget.

3. 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 modify the boundaries of Cibola National Forest in the State of New Mexico, and to transfer certain Bureau of Land Management land for inclusion in the national forest.

#### 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.

#### COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates as defined under Public Law 104-4.

#### PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any local or tribal law.

#### CHANGES IN EXISTING LAW

If enacted, this bill would make no changes in existing law.