

Testimony by Representative Jason Chaffetz

House Committee on Natural Resources

Disposal of Excess Federal Lands Act

October 26, 2011

Chairman Bishop, Ranking Member Grijalva, and members of the Subcommittee, thank you for allowing me to testify before you today on HR 1126, the Disposal of Excess Federal Lands Act. I look forward to the discussion and hearing from the witnesses. Federal land ownership is a volatile topic and I appreciate the Committee for holding this hearing and advancing the dialogue.

One of the witnesses is from my – and the Chairman’s – home state. Mark Ward, who will deliver testimony in support of HR 1126, is the Senior Policy Analyst/Public Lands and Natural Resources Counsel for the Utah Association of Counties. Among other things, the Utah Association of Counties is dedicated to “Securing state and federal legislation and administrative action that is beneficial to the counties of Utah and to county residents.” Needless to say, I value their support and am grateful for Mark’s participation.

H.R. 1126 directs the Secretary of the Interior to sell lands that were initially identified in a 1997 Report conducted by the Clinton Administration. The Report directed the Secretary of Interior to identify lands which were suitable for disposal. The Secretary identified roughly 3.3 million acres of Bureau of Land Management land in ten western states in its final report – these

lands remain in federal ownership today. Under the bill, all proceeds from the sales would be directed to the US Treasury to help reduce the \$14.9 trillion debt. At the time, Assistant Secretary of Policy, Management, and Budget Bonnie Cohen, expressed optimism for the Report when she said, “The Department of Interior is working closely with the General Services Administration to further identify, evaluate, and dispose of excess federal property for this important initiative.”

Unfortunately, the Department and GSA never quite got around to finishing the job. The 3.3 million acres identified remain in federal control today, which is troubling, as these lands amount to just over 1% of BLM land and less than one half of 1% of all federal lands. And given the fact that over 90 million acres have been acquired since 1997, I believe it’s important to ask the question, when is enough federal land enough?

Throughout the course of US history, the federal government has acquired roughly 1.8 billion acres of land. These acquisitions have come via cession by the colonies, treaties, and purchases. For example, the most well known acquisition was the Louisiana Purchase in 1801. Up until 1976, it was generally the policy and intent of the federal government to transfer ownership of most lands to private and state ownership. This policy resulted in the transfer of approximately 1.2 billion acres of land to private and state ownership since our country’s beginning. Current estimates place federal land ownership as approximately 660 million acres.

Current federal land policies favor acquisition, not disposal. Between 1997 and 2004, the General Services Administration estimated that federal land ownership increased 16 percent – from 563.3 million acres to 653.3 million. By comparison, land disposed under the primary federal land disposal program totaled just 7,832 acres. Between 2000-2010 just 25,967 acres were sold under the Federal Land Transaction Facilitation Act while 18,135 acres were acquired – a net reduction of 7,832 acres, or just a fraction of a fraction of all federal lands.

In the West, more than 50% of the lands are controlled by the federal government. In Utah, just 31% of the land is subject to state and local taxation – a reality that places great burdens on public education, firefighters, and police officers who depend on state and local taxes for financial support. Returning certain federal lands back to state and local control would help to alleviate these restraints.

Removing certain public lands from federal control would allow federal land management agencies to focus on lands more deserving of active management techniques. It is not logical nor responsible for the federal government to own and manage surplus lands. Management of surplus land is more expensive and pulls resources from lands that are truly deserving of federal management. HR 1126 is needed to streamline federal land management.

In closing, I want to reiterate my thanks to this Subcommittee. Federal land ownership issues are extremely important to my state and the West at large. The federal government owns a

disproportionate amount of land and is seemingly doing little to reverse the trend. There are lands that should continue to fall under the purview of the federal government, but we must also work together to identify and dispose excess lands. The current land disposal and exchange system is broken. Consideration of HR 1126 is a good start towards fixing it.