

Testimony

STATEMENT OF
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BEFORE THE
UNITED STATES HOUSE OF REPRESENTATIVES
SUBCOMMITTEE ON FORESTS AND FOREST HEALTH
HOUSE RESOURCES COMMITTEE

April 28, 2004

CONCERNING

- S. 33/H.R. 3744 – To authorize the Secretary of Agriculture to convey lands on the Ozark-St. Francis and Ouachita National Forests of Arkansas.
- S. 1537 – To authorize the Secretary of Agriculture to convey the New Hope Cemetery to the New Hope Cemetery Association.
- S. 434 – The Idaho Panhandle National Forest Improvement Act.
- S. 435 – To authorize the Secretary of Agriculture to convey the Sandpoint Federal Building and adjacent lands in Sandpoint, Idaho.

Mr. Chairman:

Thank you for the opportunity to appear before you today in order to provide the Department's views on S. 33/H.R.3744, a bill to authorize the Secretary of Agriculture to convey lands on the Ozark-St. Francis and Ouachita National Forests of Arkansas, S. 1537, a bill to authorize the Secretary of Agriculture to convey the New Hope Cemetery to the New Hope Cemetery Association, S. 434, The Idaho Panhandle National Forest Improvement Act, and S. 435, a bill to authorize the Secretary of Agriculture to convey the Sandpoint Federal Building and adjacent lands in Sandpoint, Idaho.

S. 33 – A bill to authorize the Secretary of Agriculture to convey lands on the Ozark-St. Francis and Ouachita National Forests of Arkansas.

S. 33 would authorize the Secretary of Agriculture to sell or exchange all or part of certain administrative sites and other in the Ozark-St. Francis and Ouachita National Forests and use funds derived from the sale or exchange to acquire, construct, or improve administrative sites and land in the National Forests in the states of Arkansas and Oklahoma. The Department supports this bill but recommends that the language of Section 2(2) be clarified to indicate that amounts deposited into the fund established by Public Law 90-170 are to be derived from the

conveyances of property and shall be available to the Secretary without further appropriation and until expended.

As this bill illustrates, the Department has a number of facilities and appurtenant administrative land excess to agency needs. The FY 2005 Budget contains a proposal for the establishment authority that would enable the Secretary to sell such units excess to the agency's need and to utilize proceeds from those sales for the acquisition or development of land and improvements for administrative purposes. Funds collected under this authority would address backlogs and administrative consolidations while improving efficiencies through the reconstruction of functionally obsolete facilities or construction of new facilities. This would eliminate the need to pass legislation for every State or Forest that has these needs. The Administration will soon forward legislative language to Congress to accomplish these worthy goals and supports its enactment.

S. 1537 – To authorize the Secretary of Agriculture to convey the New Hope Cemetery to the New Hope Cemetery Association.

S. 1537 would direct the Secretary of Agriculture to convey, for no consideration, all right, title, and interest to the New Hope Cemetery Association certain land in the State of Arkansas for use as a cemetery. The total acreage to be conveyed is 1.1 acres.

The New Hope Cemetery Association is located in Lost Corner in Pope County, Arkansas. Many elderly citizens in this small, economically depressed community have family buried there, and it is their desire to be buried at New Hope once they have passed on.

Since 2000, The Ozark National Forest and the Association have worked together with the objective of conveying the cemetery under current statutory authorities. However, comparative sale values in the area set the market value much higher than the Association would ever be able to afford, and the Cemetery Association could not find tracts of land they could purchase in order to accommodate the exchange package.

The Department does not object to making the Federal land available for use as a cemetery to the New Hope Cemetery Association, but does not support conveyance of public lands without consideration.

S. 434 – The Idaho Panhandle National Forest Improvement Act

S. 434 authorizes the Secretary of Agriculture to sell or exchange all or parts of certain tracts of National Forest System land in the State of Idaho (specifically three parcels and improvements) and to use the proceeds for the acquisition of land and construction of a new Ranger District office in the Silver Valley portion of the Idaho Panhandle National Forest (IPNF). To the extent there are excess proceeds after construction of the Ranger District Office, the bill allows the proceeds to be used to acquire land, construct, or rehabilitate other facilities in the IPNF.

The Department supports S. 434 because the tracts identified for sale or exchange are no longer needed for Forest Service administrative purposes. Moreover, conveyance of these tracts will

reduce the long term cost of administering the related special use permits. Additionally, the construction of a new Ranger District office in the Silver Valley would enhance public service and improve public safety.

As was stated above in my testimony for S. 33, S. 434 also illustrates that the Department has a number of facilities and appurtenant administrative land excess to agency needs. The Fiscal Year 2005 President's Budget contains a proposal for the establishment authority that would enable the Secretary to sell such units excess to the agency's need and to utilize proceeds from those sales for the acquisition or development of land and improvements for administrative purposes. Funds collected under this authority would address backlogs and administrative consolidations while improving efficiencies through the reconstruction of functionally obsolete facilities or construction of new facilities. The Administration supports this approach as a more effective and efficient alternative to the numerous administrative site sales bills introduced in Congress each year.

S. 435 – To authorize the Secretary of Agriculture to convey the Sandpoint Federal Building and adjacent lands in Sandpoint, Idaho.

In summary, S. 435 directs the Administrator of General Services Administration to transfer to the Secretary of Agriculture, without reimbursement, administrative jurisdiction over the Sandpoint Federal Building and 3.17 acres of land in Sandpoint, Idaho. The bill requires the Secretary to assume the obligation of the Administrator to repay to the Federal Finance Bank the debt incurred, if any, with respect to the property.

S. 435 authorizes the Secretary to convey by sale or exchange, all right, title, and interest of the United States in and to the property for market value. Consideration for conveyance of the property may, at the election of the Secretary, include the construction of administrative facilities for the National Forest System in Bonner County, Idaho. If consideration for the conveyance is the construction of administrative facilities, then such conveyance is subject to any requirements the Secretary imposes on the entity acquiring the property to assume, including the assumption of any outstanding indebtedness on the property to the Federal Finance Bank.

Further, the Secretary can use proceeds from the conveyance of the property only for: (1) the acquisition, construction, or improvement of administrative facilities and associated land; and (2) the acquisition of land and interests in land for addition to National Forest System in the Northern Region of the Forest Service in Idaho.

The Forest Service has leased the General Services Administration Sandpoint Federal Building for almost 30 years. While the present facilities no longer efficiently meet the needs of the Forest Service, the administration is concerned that the approach proposed in S. 435 does not recognize the appropriate interests of all agencies involved and therefore we cannot support the bill as drafted.

This concludes my statement. I would be happy to answer any questions that you may have.