

**Statement of
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**Senate Committee on Energy and Natural Resources
Subcommittee on Public Lands, Forests, and Mining
Legislative Hearing**

**S. 462, Truckee Meadows Public Lands Management Act
S. 1464, Buffalo Tract Protection Act
S. 1497, Cerro de la Olla Wilderness Establishment Act
S. 1981, Strategic Grazing to Reduce Risk of Wildfire Act
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H.R. 3872, MERICA Act
H.R. 3937, Wabeno Economic Development Act
S. 1349, Ruby Mountains Protection Act**

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Chairman Barrasso, Ranking Member Cortez Masto, and Members of the Subcommittee, thank you for the opportunity to provide testimony on the bills on the hearing agenda related to the Bureau of Land Management (BLM).

The BLM manages approximately 245 million surface acres, located primarily in 12 western states, and approximately 700 million acres of subsurface mineral estate. The Federal Land Policy and Management Act (FLPMA) sets forth the BLM's multiple-use mission, directing that public lands generally be managed for a broad range of uses, such as energy development, livestock grazing, timber production, hunting and fishing, and recreation. FLPMA also requires BLM to manage public land resources on a sustained-yield basis for the benefit of current and future generations.

Under the Trump Administration, the BLM is managing the nation's public lands as national assets capable of growing our economy, helping balance the budget, and generating revenue for American taxpayers. These assets benefit all Americans. By implementing Executive Order 14154, Unleashing American Energy, Executive Order 14225, Immediate Expansion of American Timber Production, and Secretary's Order 3435, Implementation of the Expanding Public Lands Outdoor Recreation Experiences Act, the BLM is working to fulfill the President's

vision to increase and expand responsible energy, mineral, and timber development, and recreational access, to ensure that America's public lands serve the American people.

The Department welcomes the continued support from Congress to sustain these, and other, critical reform efforts and looks forward to further collaboration on the topics on today's agenda.

S. 462, Truckee Meadows Public Lands Management Act

S. 462 provides direction for the future management of various Federal lands in Washoe County, Nevada. Specifically, the bill designates five wilderness areas; establishes five National Conservation Areas (NCAs); withdraws seven areas from entry and appropriation under the public land laws, from location and entry under the mining laws, and from operation of the mineral leasing, mineral materials, and geothermal leasing laws, subject to valid existing rights; and takes lands into trust for the benefit of three tribes. S. 462 also authorizes the conveyance of over 3,700 acres for public purposes to local communities and directs the sale of certain lands, totaling approximately 15,900 acres, for fair market value, with an additional 33 acres of public lands to be sold at less than fair market value for affordable housing purposes.

Analysis

The Department opposes S. 462 as it would withdraw nearly 950,000 acres of federal lands from multiple-use management through its designation of approximately 223,000 acres of wilderness, approximately 551,000 acres as NCAs, and approximately 174,000 acres in specified "withdrawal areas." The Department opposes broad withdrawals of public lands from future uses such as energy and mineral development, as these actions are contrary to the Administration's priorities of unleashing American energy and minerals and reducing our dependence on foreign sources. In addition, the withdrawal areas, wilderness and NCA designations would restrict some uses in the area, including motorized vehicle use, and would decrease public access. This would impede the BLM's ability to implement its multiple use mandate and fail to adequately protect or utilize the natural resources of this area.

While the Department opposes the bill for the reasons stated above, the Department supports the goals of the provisions in S. 462 conveying lands to local communities as they align with the Administration's priorities to support the economic growth of American communities and address the housing crisis, particularly in states with a high percentage of federal land ownership. In addition, the Department supports the provisions in S. 462 directing the conveyance of public lands for public purposes, noting that the BLM regularly leases and conveys lands to state, local, and tribal governments and nonprofit entities for a variety of public purposes under the Recreation and Public Purposes (R&PP) Act. In addition to minor technical edits to provisions regarding transfer of administrative jurisdiction to facilitate these conveyances, for DOI provisions, the Department recommends language clarifying that receiving entities may acquire the reversionary clause for these transfers at fair market value, and that they would also bear the administrative costs associated with conveying the reversionary interest.

Lastly, regarding the lands to be taken into trust for the benefit of the Pyramid Lake Paiute Tribe, the Reno-Sparks Indian Colony, and the Washoe Tribe of Nevada and California, the Department has no objection to these provisions, as these further the Administration's priority of

supporting tribal self-determination and increased economic opportunities for federally recognized tribes.

The Department defers to the U.S. Department of Agriculture (USDA) regarding provisions in the bill concerning the lands and interests administered by the U.S. Forest Service (USFS).

S. 1464, Buffalo Tract Protection Act

S. 1464, Buffalo Tract Protection Act, seeks to permanently withdraw nearly 4,300 acres of BLM land in New Mexico from mineral development under the mining, mineral, and geothermal leasing laws. It also allows for possible surface rights conveyance while retaining federal mineral rights.

Analysis

The Department opposes S. 1464 as it would limit development of important mineral sources. The permanent withdrawal of lands containing known deposits of construction materials directly conflicts with the Administration's commitment to strengthening domestic energy supply chains and reducing reliance on foreign sources. By withdrawing future access to federally managed resources essential for infrastructure development, the bill undermines energy and materials security while also constraining the BLM's ability to manage public lands for evolving priorities and sets an unnecessary precedent that weakens domestic resource resilience.

The BLM manages public lands under a multiple use framework that recognizes responsible energy and mineral development as a principal use of public lands, while also providing for recreation, grazing, and conservation. Under the leadership of President Trump and Secretary Burgum, the BLM has made environmentally responsible development of domestic minerals a priority. In communities across the country, mineral development of important commodities supports jobs, the American economy, and national security interests.

Additionally, the Buffalo Tract is known to contain large deposits of sand and gravel. The Mid-Region Council of Governments estimates that the population of the Albuquerque, New Mexico, metro area, which includes the community of Placitas, is expected to grow by 20% by 2040. Federal sand and gravel resources will be necessary to meet the future population demands for infrastructure in the area.

S. 1497, Cerro de la Olla Wilderness Establishment Act

S. 1497 would amend the John D. Dingell, Jr. Conservation, Management, and Recreation Act (P.L. 116-9) to establish approximately 12,300 acres in the Río Grande del Norte National Monument in New Mexico as the Cerro de la Olla Wilderness.

The Río Grande del Norte National Monument lies north of Taos on the border with Colorado, and straddles New Mexico's Taos and Rio Arriba Counties. The area is comprised of rugged, wide-open plains at an average elevation of 7,000 feet marked by volcanic cones. The Department is concerned that the designation in the bill may present management challenges and be inconsistent with traditional uses that are of importance to local communities and the public. The Department opposes S. 1497.

Analysis

The Department does not support the proposed wilderness designation on public lands as we believe it is not the most appropriate mechanism to adequately protect the natural resources of this area. Through the land use planning process directed by FLPMA, the BLM allocates resources and determines appropriate multiple uses for the public lands, provides a strategy to manage and protect resources; and establishes systems to monitor and evaluate the health of resources and effectiveness of management practices over time. The proposed wilderness designation would limit the ability of the BLM to adequately manage and protect the lands in response to changing conditions, including the growing risk of wildfire and changing public needs. Alternative management approaches, outside of a wilderness designation, could conserve sensitive resources while still accommodating other uses and activities permitted within the monument.

S. 1497 would designate approximately 12,300 acres of land administered by the BLM as the Cerro de la Olla Wilderness within the Rio Grande del Norte National Monument. The Cerro de la Olla volcanic cone provides habitat for wildlife including deer, elk and antelope which bring both hunters and wildlife watchers to the area. In addition to providing opportunities for recreation, the area is used for grazing and the collection of firewood and piñon nuts. Local residents have expressed concern that a wilderness designation could diminish these uses, and the BLM is likewise concerned the wilderness designation may negatively impact local residents' abilities to use these lands for those purposes.

The proposed designation overlaps a significant portion, nearly 7,500 acres, of a reserve common grazing allotment that the BLM has set aside for the temporary use of permittees displaced due to wildfire, vegetation treatment, drought, and other issues. If designated, range improvements supporting the health of the reserve common allotment would have to comply with wilderness grazing guidelines. A wilderness designation would also influence the way in which the Department manages fire including hazardous fuels reduction and the use of motor vehicles and motorized tools. Currently, there are significant wildfire risks due to the buildup of hazardous fuels. In managing wildfire risk in the monument, the BLM utilizes fuel-reduction treatments, including mechanical, prescribed fire, and herbicide application, all while considering wildlife habitat, livestock grazing, vegetation, watershed quality, and weed management. The Department cannot support any proposed designation that would limit the necessary and available tools to maintain public lands and protect against wildfire.

S. 1981, Strategic Grazing to Reduce Risk of Wildfire Act

S. 1981 directs the Department and the USDA to develop a strategy to utilize livestock grazing as a wildfire risk reduction tool within 18 months of enactment. The strategy must consider the integrated use of advanced technologies, a workforce development plan, livestock grazing on vacant allotments, using "temporary" grazing permits and leases, and increasing the use of targeted grazing to reduce hazardous fuels, and control invasive annual grasses. The Department and USDA are also directed to provide technical assistance to communities and tribes recommending the use of targeted grazing. In developing the strategy, the Department and the USDA are directed to consult with state and local governments, tribes, utilities, firefighting agencies, outdoor recreation, conservation, and sportsmen organizations, and other interested community members. The Department supports efforts to create fire-resilient landscapes through

fuels management projects and recognizes that prescriptive livestock grazing can be a valuable tool in managing vegetation to reduce the rate of spread, intensity, and severity, of wildfire. The Department supports S. 1981.

S. 2554, Alaska Native Landless Equity Act

S. 2554 would amend the Alaska Native Claims Settlement Act (ANCSA) (P.L. 92-203) to authorize the Southeast Alaska Native communities of Haines, Ketchikan, Petersburg, Tenakee, and Wrangell to organize as Urban Corporations under Sealaska Corporation, the regional corporation for Southeast Alaska. The bill also directs the Secretary to convey approximately 23,000 acres of surface estate in the Tongass National Forest to each urban corporation, and to convey the subsurface estate underlying those same lands to Sealaska Corporation. S. 2554 further provides that Congress intends such conveyances to be made within two years from the date the corporations are formed.

Analysis

In 1971, Congress passed ANCSA, which settled aboriginal land claims in Alaska by entitling Alaska Native communities to select and receive title to 46 million acres of federal land. The Act established a corporate structure for Native land ownership in Alaska under which Alaska Natives would become shareholders in one of over 200 private, land-owning Alaska Native village, group, urban, and reserve corporations and/or one of 12 private, for-profit, land-owning regional corporations. Most Alaska Natives are enrolled in two corporations; the corporation representing the community where they lived in 1970 and a regional corporation.

Each regional corporation encompasses a specific geographic area and is associated with Alaska Natives who had traditionally lived in the area. For each corporation, whether village or regional, ANCSA provided at least two potential acreage entitlements through which it could select and receive ownership of Federal lands. Due to a monetary settlement prior to ANCSA (Tlingit and Haida Indians of Alaska and Harry Douglas, et al. v. United States, 182 Ct. Cl., 130, 389 F.2d 778, 1968), land entitlements in Southeast Alaska differ from those in the rest of the state. Section 16(a) of ANCSA withdrew lands for 10 specific Native villages located in Southeast Alaska, which did not include the communities of Haines, Ketchikan, Petersburg, Tenakee, and Wrangell.

As the Secretary of the Interior's designated survey and land conveyance agent, the BLM is the Federal agency tasked with transferring to federal lands in Alaska to the State of Alaska or to Native Alaskans. The BLM's Alaska Land Transfer program administers the transfer of lands to individual Alaska Natives under the Alaska Native Allotment and Alaska Native Veterans Allotment Acts, the transfer of 46 million acres to Alaska Native communities under ANCSA, and the conveyance of 104.5 million acres to the State of Alaska under the Alaska Statehood Act.

The BLM appreciates the Sponsor's efforts to resolve this long-standing issue regarding ANCSA eligibility for the Alaska Native communities of Haines, Ketchikan, Petersburg, Tenakee, and Wrangell. The BLM would like to work with the Sponsor on several technical modifications to address potential issues, including ambiguity in Corporation classification based on the referenced section of ANCSA, and the potential conveyance of land with valid existing rights or contaminants to the new Alaska Native Corporations. Additionally, the BLM would like to

ensure all parcels identified are available to be transferred; and that previous and future allocations to regional corporations are unaffected by the bill. The BLM defers to the USFS on issues related to the land designated by the bill to be transferred, as the designated lands are all within the Tongass National Forest.

S. 2968, Outdoor Americans with Disabilities Act

S. 2968, Outdoor Americans with Disabilities Act, aims to increase motorized vehicle access on lands administered by the BLM and the USFS, and it directs the agencies to conduct travel management planning in a manner that prioritizes access to a wide variety of outdoor recreational activities, with input from state, local, and tribal governments.

Under the bill, the BLM and USFS would generally be precluded from closing existing roads on “disability-accessible land,” which is defined as having at least 2.5 miles of roads designated as open to motorized vehicles per square mile of land, if such a closure would result in a net decrease in the total amount of road authorized for that use. This limitation would not apply to roads closed for up to one year, to address a temporary need or emergency, or to roads that pose a direct threat to the public health or safety of agency personnel or visitors. For roads closed for public health or safety reasons, the agencies would be required to provide for the nomination of new roads to be opened as alternatives and establish such roads within one year of the closure. Furthermore, road closures and new roads established as alternatives for those closures would be subject to streamlined environmental review.

In addition, the bill requires the BLM and USFS to consider reopening roads closed within the past 10 years on any lands that currently have less than 2.5 miles of road open to motorized vehicles per square mile. On such lands, the bill limits the agencies from closing roads that would be beneficial for fuels reduction treatments, wildfire response, and search and rescue activities and specifies that no other roads may be closed unless they meet the same temporary need, emergency, or public health and safety exceptions that would apply to the disability-accessible land. Finally, S. 2968 would require all roads with pending Revised Statute (R.S.) 2477 claims to remain open to motorized vehicles until those claims have been fully adjudicated by federal courts.

Analysis

The Department supports the bill’s objective of preserving accessibility and expanding outdoor recreation opportunities for Americans with disabilities and recognizes the importance of ensuring access to public lands in a manner that is safe, predictable, and consistent with applicable law. Secretary Burgum recently reaffirmed the Department’s commitment to expanding public access to the land and waters it manages by issuing Secretary’s Order 3447, Expanding Hunting and Fishing Access, Removing Unnecessary Barriers, and Ensuring Consistency Across the Department of the Interior Lands and Waters, which among other things, directs agencies to expand access and opportunities where compatible with law, safety, and conservation needs.

Under Secretary Burgum’s leadership, the BLM is taking concrete steps to implement expanded access for individuals with disabilities. These efforts include prioritizing accessibility during travel management planning, directing field offices to identify opportunities to improve

motorized access that supports inclusive recreation, and targeting infrastructure investments to enhance accessibility at high use recreation sites. The BLM is also strengthening coordination with state, local, and Tribal partners to ensure access decisions are informed by on the ground conditions and user needs while remaining consistent with law, safety, and conservation.

The BLM considers accessibility in travel management planning, recreation site development, and facility design, and the agency routinely works with partners to identify and maintain accessible routes. To date, the BLM has incorporated approximately 110,000 miles of roads and trails into its transportation system through the completion of 154 travel management plans. An estimated 400,000 miles of routes remain to be inventoried and evaluated.

Clear guidance is important to ensure the bill's requirements can be implemented effectively while maintaining compliance with existing statutory obligations. The Department notes that certain provisions of the bill would benefit from technical clarification to ensure consistency with the BLM's multiple use mandate under the Federal Land Policy and Management Act. For example, the bill establishes a fixed mileage threshold to define disability-accessible land, which may not adequately account for site-specific conditions such as terrain limitations, resource protection needs, or public safety considerations. While the Department supports the bill's provisions that streamline environmental review for certain road and trail actions, including the use of categorical exclusions where appropriate, other provisions establishing a presumption of management direction without appropriate discretion may unduly constrain agency decision making needed for effective land management.

We look forward to working with the Sponsor and the Subcommittee on technical refinements and also welcome the opportunity to work collaboratively on ways to resolve R.S. 2477 claims more quickly and efficiently.

S. 3004, Upper Price River Watershed Project Act

S. 3004, Upper Price River Watershed Project Act would convey approximately 124 acres of BLM managed public lands in the City of Price, Utah, for public purposes.

Analysis

While the bill does not currently identify the specific public purposes for which the land will be used, the Department's understanding is that the conveyance is intended to facilitate the construction of a reservoir to increase and maintain safe and reliable supplies of water for the local community, increase water conservation, and improve water delivery efficiency in the Upper Price River Watershed in Carbon County, Utah. The USDA Natural Resource Conservation Service (NRCS) is currently evaluating different options for the proposed reservoir and associated infrastructure, including the potential re-routing of a local road, with input from the BLM and Bureau of Reclamation.

The Department supports S. 3004 and would welcome the opportunity to work with the Sponsor and the Subcommittee on a few technical modifications to the bill that we believe would aid implementation and increase consistency with previous legislated public purpose conveyances.

S. 3527, Montana Sportsmen Conservation Act

S. 3257 would release nearly 104,000 acres of public lands managed by the BLM and the USFS from designation as Wilderness Study Areas (WSAs). Under the bill, 22,960 acres of BLM-managed WSAs would be released from management under Section 603 of FLPMA, and 81,000 acres of lands managed by the USFS would be released from management under section 3(a) of the Montana Wilderness Study Act of 1977. The Department supports by the bill, and as a matter of policy supports Congressional action to resolve wilderness designation and WSA release issues on public lands across the West.

Analysis

FLPMA provides direction on the retention and management of lands administered by the BLM. Section 603 of FLPMA directed the BLM to first identify areas with wilderness characteristics – this step was completed in 1980. The second step of the process was to study each of the WSAs and make a recommendation to the President on their suitability or non-suitability for preservation as wilderness – this step concluded in 1991. The President was then directed to send wilderness recommendations to Congress within two years of receiving the Secretary of the Interior’s recommendation.

The President’s 1992 and 1993 wilderness recommendations to Congress are now over 30 years old; and many WSAs are still pending Congressional action. Today, WSAs are managed by the BLM so as not to impair their suitability for designation as wilderness. The Hoodoo Mountain and Wales Creek WSAs were not recommended for wilderness designation in the 1991 recommendation to the President.

S. 3527 directs the release of the Hoodoos Mountains and Wales Creek WSAs and directs the BLM to manage these lands in accordance with the applicable land management plans upon release. The Missoula Resource Management Plan (RMP) directs that upon release the Hoodoo Mountain WSA, nearly 11,400 acres would be managed as part of the adjacent Hoodoos Backcountry Area (BCA). As a BCA, the lands would be used for dispersed wildlife-dependent recreation opportunities, such as hunting and wildlife-viewing, and to restore and enhance wildlife habitat for big game-species. Leasable and mineral materials could be considered on a more case-by-case basis, active forest management practices could be used to address forest health issues, and the use of heavy equipment to suppress wildland fire would be appropriate under more circumstances. Upon release of the Wales Creek WSA, nearly 6,000 acres would be managed as part of the Wales BCA, which would be managed similarly to the Hoodoos Mountains BCA, and the remaining approximately 5,600 acres would be managed as the Wales Creek Area of Critical Environmental Concern.

The Department does not find that wilderness is the best mechanism for managing the resources on these lands. The Missoula Resource Management Plan provides for resource protection, recreation, development, vegetation management, wildland fire, and resource development upon release of the WSAs. S. 3527 supports the Administration’s recreation, timber production, and energy dominance goals while providing greater flexibility to manage public lands under the principle of multiple use and the Department supports the bill.

S. 3493, Carson City Public Land Correction Act

S. 3493 provides for the conveyance of approximately 1,300 acres of BLM-managed lands to Carson City (City), Nevada, subject to valid existing rights and without consideration, for public purposes consistent with the R&PP Act. The legislation also authorizes the city to enter into an agreement with third-parties to sell, lease, or convey at fair market value all or part of about 75 acres of land owned by the City for economic development, recreation, or other public purposes. Under S. 3493, BLM must also conduct one or more sales of approximately 380 acres of federal land to qualified bidders with provisions for the City's retention of certain easements for utilities. Finally, the bill directs the conveyance of less than an acre of land managed by the USFS for the expansion of a roadway.

Proceeds from the sales of the BLM-managed lands would be deposited in the Carson City Special Account, which would be available to reimburse the cost of any surveys and appraisals for lands that are conveyed to the City, conduct wildlife habitat and restoration projects, and complete hazardous fuels reduction efforts, among other activities.

Analysis

The Department supports the goals of the land conveyance provisions in S. 3493 as they align with the Administration's priorities to support the economic growth of local communities and address the housing crisis, particularly in states with a high percentage of federal land ownership. In addition, the Department supports the provisions in the bill directing the conveyance of public lands for public purposes, noting that the BLM regularly leases and conveys lands to state, local, and tribal governments and nonprofit entities for a variety of public purposes under the R&PP Act.

We would like to work with the Sponsor and the Subcommittee on a few modifications to the bill language to address some technical issues, clarify the legislative map, and adjust timeframes. The Department defers to the USDA regarding the proposed conveyance of USFS-managed lands.

S. 3526, Protecting Unique and Beautiful Landscapes by Investing in California Lands Act

S. 3526, PUBLIC Lands Act, would designate nearly 550,000 acres of wilderness, including over 82,000 acres of land managed by the BLM. The bill would designate over 700 miles of wild and scenic rivers (WSR) spread among lands managed by the BLM, NPS and USFS establish the 871,414-acre South Fork Trinity-Mad River Restoration Area on lands managed by USFS and BLM. The Department is concerned that certain designations in the bill may present management challenges and be inconsistent with existing land uses, including resource development and other uses that are of importance to the public. As a result, the Department opposes S. 3526.

The Department defers to the Department of Agriculture regarding provisions in the bill concerning the lands and interests administered by the USFS.

Analysis

The Department opposes the bill's proposed designations that would withdraw resources from development and limit the management flexibilities needed to address the health of public lands including wilderness, wild and scenic rivers, and the restoration area. The proposed

designations are not the most appropriate mechanism to implement the BLM's multiple use mandate and do not adequately protect or utilize the natural resources of this area. The BLM's land use planning process provides the agency with the authority to adequately manage and protect the lands in response to changing conditions, including the growing risk of wildfire, changing public needs, and national security. Alternative management approaches, outside of designations that obstruct the land use planning process, could conserve sensitive resources while still accommodating other uses and activities.

Title I, Forest Restoration

Title I establishes the 871,414-acre South Fork Trinity-Mad River Restoration Area on lands managed by USFS and BLM, withdraws the restoration area from operation of the public land, mining, and mineral leasing laws, subject to valid existing rights, and establishes the California Public Land Remediation Partnership among multiple entities to remediate impacts from illegal marijuana cultivation on public lands. The Department opposes the proposed withdrawal as it runs counter to the Administration's energy dominance goals and would limit potential development of energy and mineral resources.

Title II, Recreation

Title II authorizes a study for the Bigfoot National Recreation Trail. The proposed trail route is primarily on USFS-managed lands, with less than three trail miles crossing BLM-managed public lands. Title II also provides that the Department and USDA may establish a visitor center in Del Norte County, California and directs the study establishing overnight accommodations on Federal lands near Redwood National and State Parks. The Department makes it a priority to provide access to the outdoors and to offer exceptional recreation opportunities on public lands.

Title III, Conservation

Title III creates or expands 32 wilderness areas and creates two potential wilderness areas, including 12 on BLM-managed lands, on over 550,000 acres of Federal land in northwestern California. These designations are on lands managed primarily by the USFS and include approximately 82,000 acres of BLM managed lands. Additionally, Title III would designate nearly 700 miles of new wild and scenic rivers.

The proposed wilderness designations create conflicts with existing uses which makes manageability as wilderness challenging. Recreational use has dramatically increased on public lands throughout the West, including in California. While many recreational activities, such as hunting, fishing, and hiking are compatible with wilderness designation, others, such as mountain biking and off-highway vehicle use, are not. Further, the proposed wilderness designation would increase the risk of wildfire by complicating hazardous fuels reduction and forest management activities. For these reasons, the BLM opposes this provision in the bill and does not find that this wilderness designation is the best mechanism for managing the resources on these lands.

The Department is also concerned that the relatively large number of existing resource uses in these proposed wild and scenic river designations and respective corridors would make it difficult for the BLM to manage them in a manner consistent with the requirements of the Wild

and Scenic River Act. As such, the Department opposes both the proposed wilderness and wild and scenic river designations.

H.R. 204, Accurately Counting Risk Elimination Solutions Act

H.R. 204 would establish new reporting requirements for hazardous fuels and directs the Department and USDA to include information on hazardous fuels reduction activities in the materials submitted in support of the President’s budget, as well as on a public website. The bill directs that acres are reported only once regardless of the number of treatments conducted on those acres. Lastly, H.R. 204 directs the Comptroller General of the United States to conduct a study on the implementation of the act two years after enactment.

Analysis

The Department supports the bill and recommends minor technical edits to facilitate implementation and provide greater transparency in reporting.

The Department notes that using “acres treated” as a metric for assessing wildfire risk reduction efforts may not effectively illustrate the intensive work required to successfully treat certain high-risk areas. For example, small areas with dense fuel loads may take multiple rounds of treatment to reduce hazardous fuels but ultimately result in a significant reduction to wildfire risk to people or infrastructure. New models for better assessing the efficacy of fire risk reduction are currently in development and may ultimately provide more useful and informative metrics compared to solely using acres treated. Further, the Department recommends that the Sponsor consider revising the definition of “hazardous fuels reduction activity” to include other methods commonly used, such as manual, chemical, and biological treatments. Finally, while DOI reports on accomplishments annually, there is a delay between the end of the fiscal year and the reporting date to allow for the compilation of the information.

The Department supports reporting improvements to capture the actual, accurate acreage where hazardous fuel reduction activities are conducted and recommends expanding the definition of “hazardous fuels reduction activity” and adjusting the reporting dates accordingly to ensure the Department can provide the most accurate and responsive information.

H.R. 952, Reversionary Interest Conveyance Act

H.R. 952 provides for the conveyance of the Federal reversionary interest in approximately eight acres of land located in Sacramento, California. Under the bill, the conveyance would occur upon payment of fair market value by eligible landowners, the value of which would be determined through an appraisal by the Department of the Interior’s Appraisal and Valuation Services Office. The buyer would be responsible for all associated costs including the appraisal. Finally, H.R. 952 directs the proceeds of the conveyance to the Federal Land Disposal Account, as established by section 206(a) of the Federal Land Transaction Facilitation Act (FLTFA).

Analysis

FLPMA, which is the authority under which BLM generally disposes of public land or interests, requires receipt of fair market value for public lands or interests transferred out of public ownership. This serves to ensure that taxpayers are fairly compensated for the conveyance of such lands and interests. Disposing of outdated or unnecessary federal interests, while ensuring

taxpayers are compensated, is a responsible way to prioritize economic development and ensure a fair return to the American taxpayers. As such, the Department supports H.R. 952.

In the mid-19th century, Congress encouraged westward expansion and private investment in infrastructure through measures like the Pacific Railroad Act of 1862, which granted rights-of-way (ROW) to the Union Pacific and the Central Pacific railroad companies. These ROWs included a reversionary interest held by the United States if the land was no longer used for railroad purposes. Over time, this property has transitioned to private, residential, and commercial use. The BLM does not have a programmatic need for the parcels yet retains a future reversionary interest, which is contingent on Union Pacific's abandonment of the entire railroad right-of-way. H.R. 952 would allow for the streamlined disposal of the subject property, providing certainty for eligible property owners and facilitate economic use of the land.

H.R. 3872, MERICA Act

H.R. 3872 amends the Mineral Leasing Act for Acquired Lands (MLAAL) to establish that all lands acquired by the federal government are eligible to be considered for hardrock mineral leasing, including those where leasing authority did not previously exist.

Analysis

The Department's authority to issue prospecting permits and leases for hardrock minerals on lands acquired by the United States is currently limited to certain lands acquired under the authority of just a handful of statutes, all of which are listed in 43 C.F.R. 3503.13. The authority to issue hardrock leases does not extend to other acquired lands beyond those listed. Under the MLAAL, the Department has the authority to issue leases for oil, gas, coal, phosphate, sodium and potassium on all lands acquired by the United States. However, the MLAAL does not include the authority to lease hardrock minerals on lands acquired by the United States. This creates barriers for the recovery of minerals needed for economic and national security. For example, lithium – currently in high demand for a variety of industrial, medical, and everyday uses – has been identified in the Smackover Formation in the southeastern United States, including parcels acquired by the United States on which the Secretary is not currently authorized to issue hardrock leases or prospecting permits on acquired lands because there is no statutory authority to do so.

As stated by President Trump in EO 14241, Immediate Measures to Increase American Mineral Production, it is imperative for our national security that the United States take immediate action to facilitate domestic mineral production to the maximum possible extent. The Department supports H.R. 3872, which would expand the federal lands available for hardrock mineral development, further supporting the President's discretion. The Department recommends that the Sponsor consider adjusting the definition of hardrock minerals so that it specifically excludes deposits of phosphate and gilsonite to align the bill with established statutory and regulatory definitions. We look forward to working with the sponsor and the subcommittee to address this and other technical issues with the bill.

H.R. 3937, Wabeno Economic Development Act

H.R. 3937 would convey approximately 14 acres of National Forest System lands to Tony's Wabeno Redi-Mix, LLC, located in the Chequamegon-Nicolet National Forest in Wisconsin.

The bill also directs the Secretary of the Interior, in consultation with the heads of other relevant Federal agencies, industry stakeholders, and State permitting authorities, to conduct a comprehensive review of and submit a report to Congress on the Federal permitting processes for the development of stone, sand, and gravel on Federal lands.

Analysis

Non-energy mineral development on Federal lands is essential to the American economy and mineral materials, such as sand, gravel, soil, and rock used in everyday construction are some of our most basic natural resources. These mineral materials are generally bulky and have low unit prices, while their weight makes transportation costs very high. This makes adequate local supplies of these basic resources vital to the economic life of any community.

In implementing President Trump's Memorandum on Delivering Emergency Price Relief for American Families and Defeating the Cost-of-Living Crisis, the BLM is developing a Community Pits Mapper that provides a mobile friendly map showing the location of existing community pits, available materials, pricing and contact information. The tool also highlights areas where mineral materials may be available outside community pits, allowing the public to use the new tiered system or request the opening of new pits. By expanding access to common construction materials and simplifying the process, the Department is helping lower construction costs, support local economic growth and advance the administration's goal of making housing and infrastructure more affordable.

The authority for disposal of mineral materials is generally within the jurisdiction of the federal land management agency that holds these common minerals. The BLM manages these minerals under the Materials Act of 1947, as amended by the Surface Resources Act of 1955, on BLM lands and sells them to the public at fair market value, but gives them free to states, counties, or other government entities for public projects. The Surface Resources Act also provides the Secretary of Agriculture with equivalent and independent authority over common minerals on U.S. Forest Service lands.

The BLM has no objection to the bill and recommends that the bill's provision directing a review of the permitting process for these materials be directed to both the Secretary of the Interior and the Secretary of the Agriculture because the Department of Agriculture has distinct authority and implementing regulations, and maintains data regarding internal processing times and workflow. The BLM also recommends expanding the scope of the review to cover all mineral materials, which also include common varieties of pumice, pumicite, cinders, and clay, rather than limiting the review to only stone, sand, and gravel. In addition, the BLM notes that the bill's requirement to meaningfully engage other stakeholders, such as industry groups, State agency groups through the Association of American State Geologists, and other interested parties within 180 days may be challenging. Lastly, the BLM would like to work with the Sponsor on a minor technical edit regarding the submission of recommendations for actions following the review.

The BLM defers to the Forest Service regarding the bill's land conveyance provision which applies to U.S. Forest Service lands.

S. 1349, Ruby Mountains Protection Act

S. 1349 provides for the withdrawal from the operation of mineral leasing laws of approximately 309,272 acres of land managed by the USFS in the Ruby Mountains Subdistrict of the Humboldt-Toiyabe National Forest and approximately 39,926 acres of land managed by the U.S. Fish and Wildlife Service (Service) as part of the Ruby Lake National Wildlife Refuge (Refuge), subject to valid existing rights and with an exception for noncommercial refuge management activities by the Service.

The Department appreciates the Sponsor's interest in the Refuge, which provides wildlife habitat and high-quality hunting and fishing opportunities for the American people. However, the Department does not support S. 1349 as it is not necessary for the continued successful management of these public lands. The Service currently possesses sufficient authorities for appropriate management of the Refuge to increase opportunity for use and enjoyment of all Americans.

The Department defers to USFS regarding the bill's provisions affecting lands under their jurisdiction.

Conclusion

As the Department carries out its mission, we remain committed to meeting the high standards of this Administration and Congress. Thank you for the opportunity to testify and I'm happy to answer any questions the Subcommittee might have.