

**LEGISLATIVE AND OVERSIGHT ACTIVITIES OF THE COMMITTEE ON  
RESOURCES, 105TH CONGRESS, 105 H. Rpt. 834**

House Report 105-834

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**Sponsor:** Mr. Young of Alaska submitted the following

**Committee:** from the Committee on Resources

**Text**

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R E P O R T Overview

The Committee on Resources meet on February 5, 1997, for an organizational meeting of the 105th Congress under the direction of Chairman Don Young of Alaska. The Committee Membership was 50 Members with 27 Republicans (Congressman Michael D. Crapo of Idaho had been appointed to the Committee on January 21, 1997) and 23 Democrats.

On February 5, 1997, Congressman Sam Gejdenson of Connecticut resigned from the Committee and the Democratic Conference appointed Congressman Nick Lampson of Texas to the Committee. On February 13, 1997, Congressman Bill Richardson of New Mexico resigned from the Committee to become Ambassador to the United Nations and the Democratic Conference appointed Congressman Ron Kind to the Committee.

On April 17, 1997, Congressman Nick Lampson of Texas resigned from the Committee and the Democratic Conference appointed Congressman Lloyd Doggett of Texas to the Committee.

The Committee set up five subcommittees: National Parks and Public Lands (James V. Hansen, Chairman); Fisheries Conservation, Wildlife and Oceans (Jim Saxton, Chairman); Energy and Mineral Resources (Barbara Cubin, Chairman); Water and Power (John T. Doolittle, Chairman); and Forests and Forest Health (Helen Chenoweth, Chairman).

Jurisdiction

- (1) Fisheries and wildlife, including research, restoration, refuges, and conservation.
- (2) Forest reserves and national parks created from the public domain.
- (3) Forfeiture of land grants and alien ownership, including alien ownership of mineral lands.
- (4) Geological Survey.
- (5) International fishing agreements.

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- (6) Interstate compacts relating to apportionment of waters for irrigation purposes.
- (7) Irrigation and reclamation, including water supply for reclamation projects, and easements of public lands for irrigation projects, and acquisition of private lands when necessary to complete irrigation projects.
- (8) Measures relating to the care and management of Indians, including the care and allotment of Indian lands and general and special measures relating to claims which are paid out of Indian funds.
- (9) Measures relating generally to the insular possessions of the United States, except those affecting the revenue and appropriations.
- (10) Military parks and battlefields, national cemeteries administered by the Secretary of the Interior, parks within the District of Columbia, and the erection of monuments to the memory of individuals.
- (11) Mineral land laws and claims and entries thereunder.
- (12) Mineral resources of the public lands.
- (13) Mining interests generally.
- (14) Mining schools and experimental stations.
- (15) Marine affairs (including coastal zone management), except for measures relating to oil and other pollution of navigable waters.
- (16) Oceanography.
- (17) Petroleum conservation on the public lands and conservation of the radium supply in the United States.
- (18) Preservation of prehistoric ruins and objects of interest on the public domain.
- (19) Public lands generally, including entry, easements, and the grazing thereon.
- (20) Relations of the United States with the Indians and the Indian tribes.
- (21) Trans-Alaska Oil Pipeline (except ratemaking).
- (22) Oversight functions provided for in clause 3(e) of the House Rules with respect to all programs affecting Indians.

Source: Rule X(l) of the House of Representatives.

#### Activities Report

committee on resources statistics

Total number of bills and resolutions referred- 628

Total number of bills reported from committee- 142

Total number of reports filed- 141

Legislative reports- 139

Oversight reports- 2

Total number of bills passed by the House- 157

Total number of resolutions approved by both Houses- 1

Total number of bills enacted into law- 170

Full Committee

## I. IntroductionAlaska Legislation

Alaska Public Lands:The Committee held hearings and favorably reported several bills addressing public lands issues in the State of Alaska. Alaska has more federally owned land than any other state, including the largest systems of national parks, wildlife refuges, national forests, and wilderness areas in the country. There are also a great variety, uses and broad dispersal of Federal lands, waters and resources in the state, and a large number of Natives living in all regions. Bills considered by the Committee were intended to resolve problems or conflicts involving claims to, use or management of, and access to these Federal lands and interests, and uphold the United States trust responsibilities to Alaska Natives. A majority of the bills considered by the Committee provided for land exchanges to achieve a certain goal in the public interest or in the interest of Alaska Natives. In addition, two of the bills provided for grants of access across Federal lands to address particular problems, and one bill granted recognition of aboriginal land claims of five Native communities in the southeastern panhandle of the state. All hearings on these bills were held in Washington, D.C. H.R. 1948, the Hood Bay Land Exchange Act, and H.R. 3903, the Glacier Bay National Park Boundary Adjustment Act, were signed into law. A compromise version of H.R. 2259, the King Cove Health and Safety Act, was included in the Omnibus Appropriations Act for Fiscal Year (FY) 1999.

### Native American Legislation

Numerous bills relating to Native Americans were considered by the 105th Congress. Most of that legislation was related to specific Native American Tribes. The following is a compilation of those Tribes affected by legislation acted on by the Committee on Resources.

Agua Caliente Band of Cahuilla Indians:Legislation (H.R. 700) was enacted relating to the distribution of certain revenues to members of the Agua Caliente Band of Cahuilla Indians.

Arikaara, Mandan and Hidatsa Tribes:Legislation (S. 2069) was enacted to permit the mineral leasing of Indian land located within the Fort Berthold Indian Reservation in any case in which there is consent from a majority interest in the parcel of land under consideration for lease.

Assiniboine and Sioux Tribes of the Fort Peck Reservation:Legislation (S. 391) was enacted to provide for the disposition of certain funds appropriated to pay a judgment in favor of the Assiniboine and Sioux Tribes of the Fort Peck Reservation.

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Barona Group of Capitan Grande Band of Mission Indians:Legislation (H.R. 2742) was passed by the House which would transfer 5.03 acres of surplus Bureau of Land Management land to the Barona Group of Capitan Grande Band of Mission Indians.

Bay Mills Indian Community:Legislation (H.R. 1604) was enacted which provides for the distribution of certain judgment funds to the Bay Mills Indian Community.

Burt Lake Band of Ottawa and Chippewa Indians:Legislation (H.R. 948) to reaffirm and clarify the Federal relationship of the Burt Lake Band of Ottawa and Chippewa Indians was reported out of the Resources Committee but did not receive enough votes on the Floor of the House to be passed.

Cabazon Indian Tribe:Legislation (H.R. 4068) was enacted which will extend the leasing authority of the Cabazon Indian Tribe to 99 years.

Confederated Tribes of Siletz Indians of Oregon:Legislation (H.R. 4068) was enacted which will expand the service area of the Confederated Tribes of Siletz Indians of Oregon to include certain additional counties in Oregon.

Confederated Tribes of the Grand Ronde Community of Oregon:Legislation (H.R. 4068) was enacted which will extend the leasing authority of the Confederated Tribes of the Grand Ronde Community of Oregon to 99 years.

Coos, Lower Umpqua, and Siuslaw Restoration Act:Legislation (H.R. 4068) was enacted which will add certain lands to the Coos, Lower Umpqua, and Siuslaw Reservation.

Cow Creek Band of Umpqua Tribe:Legislation (H.R. 4068) was enacted which directs the Secretary of the Interior to take certain land within the State of Oregon into trust for the benefit of the Cow Creek Band of Umpqua Tribe.

Cuyapaipe Band of Mission Indians:Legislation (H.R. 2742) was passed by the House which would transfer 1,360 acres of surplus Bureau of Land Management land to the Cuyapaipe Band of Mission Indians.

Fort Bidwell Community of Paiute Indians:Legislation (H.R. 2742) was passed by the House which would transfer 299.04 acres of surplus Bureau of Land Management land to the Fort Bidwell Community of Paiute Indians.

Fort Independence Community of Paiute Indians:Legislation (H.R. 2742) was passed by the House which would transfer 200.06 acres of surplus Bureau of Land Management land to the Fort Independence Community of Paiute Indians.

Grand Traverse Band of Ottawa and Chippewa Indians:Legislation (H.R. 1604) was enacted which provides for the distribution of certain judgment funds to the Grand Traverse Band of Ottawa and Chippewa Indians.

Hoopa Valley Tribe:The Hoopa Valley Reservation South Boundary Adjustment Act (H.R. 70) was enacted to transfer land to the Tribe and adjusts the boundary of the Reservation to correct a survey mistake made decades ago.

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Jicarilla Apache Tribe:Legislation (H.R. 4068) was enacted in which Congress approves a settlement agreement which has become a part of the Jicarilla Apache Tribe Water Rights Settlement Act.

Ketchikan Indian Corporation:Legislation (H.R. 4068) was enacted which removes a non-health use restriction imposed upon a facility operated by the Ketchikan Indian Corporation next to the Ketchikan General Hospital.

Kickapoo Tribe of Oklahoma:Legislation (H.R. 2314) was passed by the House to restore Federal Indian services to members of the Kickapoo Tribe of Oklahoma residing in Maverick County, Texas.

La Jolla, Rincon, San Pasqual, Pauma and Pala Bands of Mission Indians:Legislation (H.R. 4068) was enacted which authorizes and directs the Secretary of the Interior to disburse certain funds to the La Jolla, Rincon, San Pasqual, Pauma and Pala Bands pursuant to the San Luis Rey Indian Water Rights Settlement Act.

Little River Band of Ottawa Indians of Michigan:Legislation (H.R. 1604) was enacted which provides for the distribution of certain judgment funds to the Little River Band of Ottawa Indians of Michigan.

Little Traverse Bay Bands of Odawa Indians of Michigan:Legislation (H.R. 1604) was enacted which provides for the distribution of certain judgment funds to the Little Traverse Bay Bands of Odawa Indians of Michigan.

Lower Brule Sioux Tribe:The Lower Brule Sioux Tribe Infrastructure Development Trust Fund Act (S. 156) was enacted to establish an infrastructure development trust fund for the Tribe using certain receipts generated by the Pick-Sloan Missouri River Basin power project.

Lower Sioux Indian Community in Minnesota:Legislation (H.R. 4068) was enacted which authorizes the Lower Sioux Indian Community in Minnesota to sell certain land which it owns in fee.

Manzanita Band of Mission Indians:Legislation (H.R. 2742) was passed by the House which would transfer 1,000.78 acres of surplus Bureau of Land Management land to the Manzanita Band of Mission Indians.

Miccosukee Tribe of Florida:The Miccosukee Settlement Act of 1997 (H.R. 1476) was enacted to transfer certain Florida State land to the Tribe and transferred other land from the Tribe to the State of Florida.

Legislation (H.R. 3055) was also enacted which modifies the boundary of the Miccosukee reservation in Florida.

Morongo Band of Mission Indians:Legislation (H.R. 2742) was passed by the House which would transfer 40 acres of surplus Bureau of Land Management land to the Morongo Band of Mission Indians.

Pala Band of Mission Indians:Legislation (H.R. 2742) was passed by the House which would transfer 59.2 acres of surplus Bureau of Land Management land to the Pala Band of Mission Indians.

Pit River Tribe:Legislation (H.R. 2742) was passed by the House which would transfer 561.69 acres of surplus Bureau of Land Management land to the Pit River Tribe.

Sault Ste. Marie Tribe of Michigan:Legislation (H.R. 1604) was enacted to provide for the distribution of certain judgment funds to the Sault Ste. Marie Tribe of Michigan.

Sisseton and Wahpeton Sioux Tribe of South Dakota: Legislation (S. 391) was enacted to provide for the disposition of certain funds appropriated to pay a judgment in favor of the Sisseton and Wahpeton Sioux Tribe of South Dakota.

Spirit Lake Tribe of North Dakota: Legislation (S. 391) was enacted to provide for the disposition of certain funds appropriated to pay a judgment in favor of the Spirit Lake Tribe of North Dakota.

United Auburn Indian Community: Legislation (H.R. 1805) was passed by the House to amend the Auburn Indian Restoration Act to restrict gaming on and use of land held in trust for the United Auburn Indian Community of the Auburn Rancheria of California.

The following pieces of legislation affect numerous, if not all, Native American tribes:

Alaska Native Claims Settlement Act Amendments: Alaska Native Claims Settlement Act amendments (H.R. 2000) were passed to resolve many of the technical problems which have arisen since the passage of ANCSA and the Alaska National Interest Lands Conveyance Act. These amendments, identified by the Alaska Federation of Natives, relate to land trades, the retention of certain mineral estates, the distribution of certain bonds, the granting of certain subsurface rights, the Calista Native Corporation land exchange, the administering of certain mining claims, and certain Native allotment applications.

Tribal Self-Governance Amendments: Legislation (H.R. 1833) was passed by the House which would make the Self-Governance demonstration program within the Department of Health and Human Services a permanent program.

Indian Federal Recognition Administrative Procedures Act: Legislation (H.R. 1154) intended to reform the Federal recognition process for Indian tribes was reported out of the Resources Committee but failed to receive enough votes to be passed by the House.

Indian Health Care Improvement Act: Legislation (H.R. 4068) was passed which amends portions of the Indian Health Care Improvement Act to extend certain funding through FY 2002.

Advisory Council on California Indian Policy: Legislation (H.R. 3069) was enacted which will extend the life of the Advisory Council on California Indian Policy to allow the Council to advise Congress and other officials on the implementation of its proposals and recommendations.

#### Insular Affairs

The Committee focused on increasing self-sufficiency and self-governance in the United States flag islands and the freely associated states in Micronesia during the 105th Congress. These insular affairs objectives were accomplished primarily through Congressional hearings and oversight in Washington and the various islands in the Caribbean and Pacific. Formal requests from the individual governments often formed the basis for legislative action by Congress to improve self-government and self-sufficiency.

The Committee: (1) acted to improve self-government in the insular areas with the approval of the "United States-Puerto Rico Political Status Act" (H.R. 856) by authorizing a long-term self-determination process exceeding ten years to respond to the request of the Puerto Rico Legislature to resolve the political status problem for the nearly 4 million American citizens of Puerto Rico; (2) passed the "Guam Organic Act Amendments" (H.R. 2370) authorizing changes to the Federal law authorizing the government structure in Guam by allowing the people of Guam to determine if the Attorney General

should be an elected office, adjust the size of the legislative quorum to a simple majority to correspond with the size of the legislature, and to clarify the authority of the legislature over local matters; and (3) passed "Increased Territorial Election Authority" (H.R. 1460) providing the people of Guam with a streamlined election process for the Guam Delegate by eliminating a separate ballot requirement in the existing law, which will result in savings to the territory. The Committee also acted on legislation to increase self-reliance and self-sufficiency among the island communities with: (1) the passage of the "Hawaiian Homes Commission Act Amendments" (H.J. Res. 32) emphasizing the importance of the extended family and self-reliance among Native Hawaiians by permitting people awarded Hawaiian homesteads to be able to designate grandchildren as successors and separately to permit the issuance of hurricane insurance coverage for lessees of Hawaiian home lands; (2) the passage of the "Program Extension For Communities In The Former United States Trust Territory" (H.R. 1460) extending specific support for the small Micronesian atolls that were affected by U.S. nuclear testing and are part of a radiological rehabilitation and resettlement process to restore their self-sufficiency; and (3) the passage of the "American Samoa Development Act" (H.R. 757) establishing an economic development commission to analyze alternative to spur private sector development in Americas principal inhabited territory south of the equator.

## ii. jurisdiction

- (1) Measures and matters concerning the transportation of natural gas from or within Alaska and disposition of oil transported by the trans-Alaska oil pipeline.
- (2) Measures and matters relating to Alaska public lands, including forestry and forest management issues, and Federal reserved water rights.
- (3) Environmental and habitat measures and matters of general applicability.
- (4) Measures relating to the welfare of Native Americans, including management of Indian lands in general and special measures relating to claims which are paid out of Indian funds.
- (5) All matters regarding the relations of the United States with the Indians and the Indian tribes, including special oversight functions under clause 3(e) of Rule X of the Rules of the House of Representatives.
- (6) All matters regarding Native Alaskans and Native Hawaiians.
- (7) All matters related to the Federal trust responsibility to Native Americans and the sovereignty of Native Americans.
- (8) All matters regarding insular areas of the United States.
- (9) All measures or matters regarding the Freely Associated States and Antarctica.
- (10) Cooperative efforts to encourage, enhance and improve international programs for the protection of the environment and the conservation of natural resources within the jurisdiction of the Committee.
- (11) All measures and matters retained by the Full Committee under Committee rule 6(e).

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(12) General and continuing oversight and investigative authority over activities, policies and programs within the jurisdiction of the Committee under House Rule X.

iii. legislative ActivitiesA. Legislative hearings and markups

February 5, 1997Organization meeting held for the 105th Congress.

March 5, 1997Markup held on H.J. Res. 32, to consent to certain amendments enacted by the Legislature of the State of Hawaii to the Hawaiian Homes Commission Act, 1920; H.R. 63, to designate the reservoir created by Trinity Dam in the Central Valley Project, California, as Trinity Lake; H.R. 412, to approve a settlement agreement between the Bureau of Reclamation and the Oroville-Tonasket Irrigation District; H.R. 437, to reauthorize and amend the National Sea Grant College Program Act; and H.R. 709, to reauthorize and amend the National Geologic Mapping Act of 1992.

March 12, 1997Markup held on H.R. 752, to amend the Endangered Species Act of 1973 to ensure that persons that suffer or are threatened with injury resulting from a violation of the Act or a failure of the Secretary to act in accordance with the Act have standing to commence a civil suit on their own behalf; and H.R. 757, to develop the economy of American Samoa.

March 19, 1997Hearing held on H.R. 856, to provide a process leading to full self-government for Puerto Rico. Printed Hearing 105-16

April 10, 1997Hearing held on H.R. 478, to amend the Endangered Species Act of 1973 to improve the ability of individuals and local, State and Federal agencies to comply with that Act in building, operating, maintaining, or repairing flood control projects, facilities, or structures and to determine whether Federal wildlife policies have impeded proper ongoing maintenance and repair of flood control structures. Printed Hearing 105-12

April 16, 1997Markup held on H. Con. Res. 8, expressing the sense of Congress with respect to the significance of maintaining the health and stability of coral reef ecosystems; H.R. 39, to reauthorize the African Elephant Conservation Act; H.R. 408, to amend the Marine Mammal Protection Act of 1972 to support the International Dolphin Conservation Program in the eastern tropical Pacific Ocean; H.R. 449, to provide for the orderly disposal of certain Federal lands in Clark County, Nevada, and to provide for the acquisition of environmentally sensitive lands in the State of Nevada; and H.R. 478, to amend the Endangered Species Act of 1973 to improve the ability of individuals and local, State, and Federal agencies to comply with that Act in building, operating, and maintaining, or repairing flood control projects, facilities, or structures.

April 19, 1997Field hearing held in San Juan, Puerto Rico, on H.R. 856, to provide a process leading to full self-government for Puerto Rico. Printed Hearing 105-28

April 21, 1997Field hearing held in Mayaguez, Puerto Rico, on H.R. 856, to provide a process leading to full self-government for Puerto Rico. Printed Hearing 105-27

April 30, 1997Markup held on H.R. 1420, to amend the National Wildlife Refuge System Administration Act of 1966 to improve the management of the National Wildlife Refuge System.



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Hearing held on H.J. Res. 59, to disapprove a rule affecting polar bear trophies from Canada under the 1994 amendments to the Marine Mammal Protection Act issued by the U.S. Fish and Wildlife Service of the Department of the Interior. Printed Hearing 105-18

May 5, 1997Field hearing held in Tannersville, New York, on H.R. 901, to preserve the sovereignty of the United States over public lands and acquired lands owned by the United States, and to preserve State sovereignty and private property rights in non-Federal lands surrounding those public lands and acquired lands. Printed Hearing 105-26

May 21, 1997Markup held on H.R. 79, to provide for the conveyance of certain land in the Six Rivers National Forest in the State of California for the benefit of the Hoopa Valley Tribe; H.R. 985, to provide for the expansion of the Eagles Nest Wilderness within Arapaho and White River National Forests, Colorado, to include the lands known as the Slate Creek Addition upon the acquisition of the lands by the United States; H.R. 1019, to provide for a boundary adjustment and land conveyance involving the Raggeds Wilderness, White River National Forest, Colorado, to correct the effects of earlier erroneous land surveys; H.R. 1020, to adjust the boundary of the White River National Forest in the State of Colorado to include all National Forest System lands within Summit County, Colorado, which are currently part of the Dillon Ranger District of the Arapaho National Forest; H.R. 1439, to facilitate the sale of certain land in Tahoe National Forest in the State of California to Placer County, California; H.R. 856, to provide a process leading to full self-government for Puerto Rico; H.R. 858, Quincy Library Group Forest Recovery and Economic Stability Act of 1997; and H.R. 1127, to amend the Antiquities Act to require an Act of Congress and the concurrence of the Governor and State legislature for the establishment by the President of national monuments in excess of 5,000 acres, but did not complete action.

June 10, 1997Hearing held on H.R. 901, to preserve the sovereignty of the United States over public lands and acquired lands owned by the United States, and to preserve State sovereignty and private property rights in non-Federal lands surrounding those public lands and acquired lands. Printed Hearing 105-26

June 11, 1997Markup held on H.R. 1278, National Oceanic and Atmospheric Administration Authorization Act of 1997.

June 18, 1997Joint hearing held with Senate Committee on Indian Affairs on H.R. 1082/S.569, to amend the Indian Child Welfare Act of 1978, and for other purposes. Printed Hearing 105-44.

June 24, 1997Hearing held on H.R. 700, to remove the restriction on the distribution of certain revenues from the Mineral Springs parcel to certain members of the Agua Caliente Band of Cahuilla Indians; H.R. 948, to reaffirm and clarify the Federal relationship of the Burt Lake Band as a distinct federally recognized Indian Tribe, and for other purposes; H.R. 976, to provide for the disposition of certain funds appropriated to pay a judgment in favor of the Mississippi Sioux Indians, and for other purposes; and H.R. 1604, to provide for the division, use, and distribution of judgment funds of the Ottawa and Chippewa Indians of Michigan pursuant to dockets numbered 18-E, 58, 364, and 18-R before the Indian Claims Commission.

June 25, 1997Markup held on H.R. 1127, to amend the Antiquities Act to require an Act of Congress and the concurrence of the Governor and State legislature for the establishment by the President of national monuments in excess of 5,000 acres; H.R. 765, to ensure maintenance of a herd of wild horses in Cape

Lookout National Seashore; H.R. 822, to facilitate a land exchange involving private land within the exterior boundaries of Wenatchee National Forest in Chelan County, Washington; H.R. 951, to require the Secretary of the Interior to exchange certain lands located in Hinsdale, Colorado; H.R. 960, to validate certain conveyances in the City of Tulare, Tulare County, California, and for other purposes; H.R. 1198, to direct the Secretary of the Interior to convey certain land to the City of Grants Pass, Oregon; H.R. 1658, to reauthorize and amend the Atlantic Striped Bass Conservation Act and related laws; S.J. Res. 29, to direct the Secretary of the Interior to design and construct a permanent addition to the Franklin Delano Roosevelt Memorial in Washington, D.C., and for other purposes; and H.R. 901, to preserve the sovereignty of the United States over public lands and acquired lands owned by the United States, and to preserve State sovereignty and private property rights in non-Federal lands surrounding those public lands and acquired lands.

July 16, 1997Markup held on H.R. 799, to require the Secretary of Agriculture to make a minor adjustment in the exterior boundary of the Hells Canyon Wilderness in the States of Oregon and Idaho to exclude an established Forest Service road inadvertently included in the wilderness; H.R. 838, to require adoption of a management plan for the Hells Canyon National Recreation Area that allows appropriate use of motorized and nonmotorized river craft in the recreation area, and for other purposes; H.R. 1460, to allow for election of the Delegate from Guam by other than separate ballot, and for other purposes; H.R. 976, to provide for the disposition of certain funds appropriated to pay judgment in favor of the Mississippi Sioux Indians, and for other purposes; H.R. 700, to remove the restriction on the distribution of certain revenues from the Mineral Springs parcel to certain members of the Agua Caliente Band of Cahuilla Indians; H.R. 948, to reaffirm and clarify the Federal relationship of the Burt Lake Band as a distinct federally recognized Indian Tribe, and for other purposes; H.R. 1604, to provide for the division, use, and distribution of judgment funds of the Ottawa and Chippewa Indians of Michigan pursuant to dockets numbered 18-E, 58, 364, and 18-R before the Indian Claims Commission; H.R. 1663, to clarify the intent of the Congress in Public Law 93-632 to require the Secretary of Agriculture to continue to provide for the maintenance of 18 concrete dams and weirs that were located in the Emigrant Wilderness at the time the wilderness area was designated as wilderness in that Public Law; H.R. 1944, to provide for a land exchange involving the Warner Canyon Ski Area and other land in the State of Oregon; and H.R. 1855, to impose a moratorium on "large fishing vessels" in the Atlantic herring and mackerel fisheries.

The Chairman of the Committee was also authorized to issue subpoenas concerning the matter of the Committee oversight review of hardrock bonding mining regulations.

July 30, 1997Hearing held on H.R. 1948, to provide for the exchange of lands within Admiralty Island National Monument, and for other purposes.

September 10, 1997Hearing held on H.R. 2259, to provide for a transfer of land interests in order to facilitate surface transportation between the cities of Cold Bay, Alaska, and King Cove, Alaska.

Markup held on H.R. 136, to amend the National Parks and Recreation Act of 1978 to designate the Marjory Stoneman Douglas Wilderness and to amend the Everglades National Park Protection and Expansion Act of 1989 to designate the Ernest F. Coe Visitor Center; H.R. 708, to require the Secretary of the Interior to conduct a study concerning grazing use of certain land within and adjacent to Grand Teton National Park, Wyoming, and to extend temporarily certain grazing privileges; H.R. 1787, to assist in the conservation of Asian elephants by supporting and providing financial resources for the conservation programs of nations within the range of Asian elephants and projects of persons with demonstrated

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expertise in the conservation of Asian elephants; and H.R. 1948, to provide for the exchange of lands within Admiralty Island National Monument, and for other purposes.

September 17, 1997Markup held on H.R. 512, to prohibit the expenditure of funds from the Land and Water Conservation Fund for the creation of new National Wildlife Refuges without specific authorization from Congress pursuant to a recommendation from the United States Fish and Wildlife Service to create the refuge; H.R. 1849, to establish the Oklahoma City National Memorial as a unit of the National Park System, to designate the Oklahoma City Memorial Trust, and for other purposes; H. Con. Res. 131, expressing the sense of Congress regarding the ocean; H.R. 2233, to assist in the conservation of coral reefs; H.R. 1805, to amend the Auburn Indian Restoration Act to establish restrictions related to gaming on and use of land held in trust for the United Auburn Indian Community of the Auburn Rancheria of California; H.R. 2007, to amend the Act that authorized the Canadian River reclamation project, Texas, to direct the Secretary of the Interior to allow use of the project distribution system to transport water from sources other than the project; H.R. 134, to authorize the Secretary of the Interior to provide a loan guarantee to the Olivenhain Water Storage Project, and for other purposes; H.R. 2314, Kickapoo Tribe of Oklahoma Federal Indian Services Restoration Act of 1997; and H.R. 1476, to settle certain Miccosukee Indian land takings claims within the State of Florida.

September 24, 1997The Chairman of the Committee was authorized to issue subpoenas for the production of records related to the Committees review of the designation of the Grand Staircase-Escalante National Monument.

Hearing held on H.R. 1842, to terminate further development and implementation of the American Heritage Rivers Initiative. Printed Hearing 105-70.

October 1, 1997Markup held on H. Con. Res. 151, to express the sense of the Congress that the United States should manage its public domain National Forest to maximize the reduction of carbon dioxide in the atmosphere among many other objectives and that the United States should serve as an example and as a world leader in actively managing its public domain National Forests in a manner that substantially reduces the amount of carbon dioxide added to the atmosphere; H.R. 1856, Volunteers for Wildlife Act of 1997; H.R. 2000, to amend the Alaska Native Claims Settlement Act to make certain clarifications to the land bank protection provisions; H.R. 2259, to provide for a transfer of land interests in order to facilitate surface transportation between the cities of Cold Bay, Alaska, and King Cove, Alaska; and H.R. 2402, the Reclamation Technical Corrections Act of 1997.

October 8, 1997Markup held on H.R. 1270, to amend the Nuclear Waste Policy Act of 1982; and H.R. 2493, to establish a mechanism by which the Secretary of Agriculture and the Secretary of the Interior can provide for uniform management of livestock grazing on Federal lands.

October 22, 1997Markup held on S. 731, to extend the legislative authority for construction of the National Peace Garden Memorial; S. 423, to extend the legislative authority for the Board of Regents of Gunston Hall to establish a memorial to honor George Mason; H.R. 2283, to expand the boundaries of the Arches National Park in the State of Utah to include portions of the following drainages, Salt Wash, Lost Spring Canyon, Fish Sheep Draw, Clover Canyon, Cordova Canyon, Mine Draw, and Cottonwood Wash, which are currently under the jurisdiction of the Bureau of Land Management, and to include a portion of Fish Sheep Draw, which is currently owned by the State of Utah; H.R. 1739, to amend the Act designating the Boundary Waters Canoe Area Wilderness to clarify certain provisions of law regarding activities

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authorized within the wilderness areas; H.R. 434, to provide for the conveyance of small parcels of land in the Carson National Forest and the Santa Fe National Forest, New Mexico, to the village of El Rito and the town of Jemez Springs, New Mexico; S. 459, Native American Programs Act Amendments of 1997; and H.R. 1842, to terminate further development and implementation of the American Heritage Rivers Initiative.

A motion to reconsider previous vote to report on H.R. 2493, Forage Improvement Act of 1997 was adopted and the bill was reported again.

October 29, 1997Hearing held on H.R. 100, to establish the Commonwealth of Guam, and for other purposes; H.R. 2370, to amend the Organic Act of Guam for the purposes of clarifying the local judicial structure and the office of Attorney General; and S. 210, to amend the Organic Act of Guam, the Revised Organic Act of the Virgin Islands, and the Compact of Free Association, and for other purposes. Printed Hearing 105-78.

November 5, 1997Markup held on H.R. 755, to amend the Internal Revenue Code of 1986 to allow individuals to designate any portion of their income tax overpayments, and to make other contributions, for the benefit of units of the National Park System; H.R. 1309, to provide for an exchange of lands within the city of Greeley, Colorado, and the Water Supply and Storage Company to eliminate private inholdings in wilderness areas, and for other purposes; and H.R. 1567, to provide for the designation of additional wilderness lands in the eastern United States.

A motion to reconsider previous vote to report H.R. 1842, to terminate further development and implementation of the American Heritage Rivers Initiative, was adopted and the bill was ordered reported again.

February 25, 1998Hearing held on H.R. 2756, Kake Tribal Corporation Land Exchange Act; H.R. 2812, Unrecognized Southeast Alaska Native Communities Recognition Act; H.R. 2924, to amend the Alaska Native Claims Settlement Act to provide for selection of lands by certain veterans of the Vietnam era and by the Elim Native Corporation; H.R. 3087, to require the Secretary of Agriculture to grant an easement to Chugach Alaska Corporation; and H.R. 3008, to amend the Alaska Native Claims Settlement Act; regarding Huna Totem Corporation public interest land exchange.

March 11, 1998Markup held on H.R. 2186, to authorize the Secretary of the Interior to provide assistance to the National Historic Trails Interpretive Center in Casper, Wyoming; H.R. 2376, National Fish and Wildlife Foundation Establishment Act Amendments of 1997; H.R. 2416, to provide for the transfer of certain rights and property to the United States Forest Service in exchange for a payment to the occupant of such property; H.R. 2574, to consolidate certain mineral interests in the National Grasslands in Billings County, North Dakota, through the exchange of Federal and private mineral interests to enhance land management capabilities and environmental and wildlife protection; H.R. 2807, Rhino and Tiger Labeling Act; H.R. 3087, to require the Secretary of Agriculture to grant an easement to Chugach Alaska Corporation; H.R. 3113, Rhinoceros and Tiger Conservation Reauthorization Act of 1998; and H.R. 3164, to describe the hydrographic services functions of the Administrator of the National Oceanic and Atmospheric Administration.

March 17, 1998Hearing held on H.R. 1833, Tribal Self-Governance Amendments of 1997; and H.R. 2742, California Indian Land Transfer Act.

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March 25, 1998Markup held on S. 231, National Cave and Karst Research Institute Act of 1997; H.R. 1522, to extend the authorization for the National Historic Preservation Fund; H.R. 1833, Tribal Self-Governance Amendments of 1997; H.R. 3069, Advisory Council on California Indian Policy Extension Act of 1977; and H.R. 3297, to suspend the continued development of a roadless area policy on public domain units and other units of the National Forest System pending adequate public participation and determinations that a roadless area policy will not adversely affect forest health.

April 29, 1998Markup held on H.R. 1021, Miles Land Exchange Act of 1997; H.R. 2556, to reauthorize the North American Wetlands Conservation Act and the Partnerships for Wildlife Act; H.R. 2886, Granite Watershed Enhancement and Protection Act of 1997; and H.R. 2863, Migratory Bird Treaty Reform Act.

May 20, 1998Markup held on H.R. 1154, Indian Federal Recognition Administrative Procedures Act of 1997; H.R. 1635, National Underground Railroad Network to Freedom Act of 1997; H.R. 1865, Spanish Peaks Wilderness Act of 1997; H.R. 2411, to provide for a land exchange involving the Cape Cod National Seashore and to extend authority for the Cape Cod National Seashore Advisory Commission; H.R. 2538, Guadalupe-Hidalgo Treaty Land Claims Act of 1997; H.R. 2742, California Indian Land Transfer Act; H.R. 2795, Irrigation Project Contract Extension Act of 1997; H.R. 2812, Unrecognized Southeast Alaska Native Communities Recognition Act; H.R. 3267, Sonny Bono Memorial Salton Sea Reclamation Act; H.R. 3520, to adjust the boundaries of the Lake Chelan National Recreation Area and the adjacent Wenatchee National Forest in the State of Washington; H.R. 3796, to authorize the Secretary of Agriculture to convey the administrative site for the Rogue River National Forest and use the proceeds for the construction of improvement of offices and support buildings for the Rogue River National Forest and the Bureau of Land Management; H.R. 3797, to compensate the Wyandotte Tribe of Oklahoma for the taking of certain rights by the Federal Government; and approval of a Committee report on mining regulations promulgated by the Bureau of Land Management.

June 10, 1998Hearing held on H.R. 2893, to amend the Native American Graves Protection and Repatriation Act to provide for appropriate study and repatriation of remains for which a cultural affiliation is not readily ascertainable; and H.R. 3903, to provide for an exchange of lands located near Gustavus, Alaska, and for other purposes.

June 17, 1998Markup held on H.J. Res. 113, a joint resolution approving the location of a Martin Luther King, Jr., Memorial in the Nations Capitol; H.R. 1659, Mount St. Helens National Volcanic Monument Completion Act; H.R. 1728, National Park Service Administrative Amendment of 1997; H.R. 1983, Narragansett Justice Act; H.R. 2993, to provide for the collection of fees for the making of motion pictures, television productions, and sound tracks in National Park System and National Wildlife Refuge Systems units; H.R. 3460, to approve a Governing International Fishery Agreement between the United States and the Republic of Latvia; H.R. 3830, Utah Schools and Lands Exchange Act of 1998; and began consideration of a motion authorizing the Chairman of the Committee to issue subpoenas regarding matters under review associated with the Warner Creek timber sale and protest.

June 24, 1998Hearing held on H.R. 1168, to encourage competition and tax fairness and to protect the tax base of State and local governments.

July 15, 1998Markup held on H.R. 4111, to provide for outlet modifications to Folsom Dam, a study for reconstruction of the Northfork American River cofferdam, and the transfer to the State of California all right, title, and interest in and to the Auburn Dam.

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July 22, 1998 Joint hearing held with Senate Committee on Indian Affairs on S. 1770, to elevate the position of Director of the Indian Health Service to Assistant Secretary of Health and Human Services, to provide for the organizational independence of the Indian Health Service within the Department of Health and Human Services; and H.R. 3782, to compensate certain Indian tribes for known errors in their tribal trust fund accounts, and to establish a process for settling other disputes regarding tribal trust fund accounts.

Markup held on H.R. 1042, to amend the Illinois and Michigan Canal Heritage Corridor Act of 1984 to extend the Illinois and Michigan Canal Heritage Corridor Commission; H.R. 2223, Education Land Grant Act; H.R. 3047, to authorize expansion of Fort Davis National Historic Site in Fort Davis, Texas, by 16 acres; H.R. 3055, to deem the activities of the Miccosukee Tribe on the Tamiami Indian Reservation to be consistent with the purposes of the Everglades National Park; H.R. 3109, Thomas Cole National Historic Site; H.R. 3498, Dungeness Crab Conservation and Management Act; H.R. 3625, San Rafael Swell National Heritage and Conservation Act; H.R. 3903, to provide for an exchange of lands located near Gustavus, Alaska, and for other purposes; and H.R. 4284, to authorize the Government of India to establish a memorial to honor Mahatma Gandhi in the District of Columbia.

July 28, 1998 Hearing held on H.R. 3987, to protect and conserve deer and elk and to provide for consistent and equitable hunting laws in the State of Washington.

July 29, 1998 Markup held on H. Res. 494, expressing the sense of the House of Representatives that the United States has enjoyed the loyalty of the United States citizens of Guam, and that the United States recognizes the centennial anniversary of the Spanish-American War as an opportune time for Congress to reaffirm its commitment to increase self-government consistent with self-determination for the people of Guam; H.R. 1110, Sudbury, Assabet, and Concord Wild and Scenic Rivers Act; H.R. 2370, Guam Judicial Empowerment Act of 1997; H.R. 2776, to amend the Act entitled "An Act to provide for the establishment of the Morristown National Historical Park in the State of New Jersey, and for other purposes" to authorize the acquisition of property known as the Warren property; H.R. 3445, Oceans Act of 1998; H.R. 4068, to make certain technical corrections in laws relating to Native Americans; H.R. 4079, to authorize the construction of temperature control devices at Folsom Dam in California; and H.R. 4326, Oregon Public Lands Transfer and Protection Act of 1998.

Hearing held on H.R. 2743, Indian Land Consolidation Amendment Act of 1997; and H.R. 4325, Indian Trust Estate Planning and Land Title Management Improvement Act.

August 5, 1998 Markup held on H.R. 1467, to provide for the continuance of oil and gas operations pursuant to certain existing leases in the Wayne National Forest; H.R. 1481, Great Lakes Fish and Wildlife Restoration Act of 1997; S. 1693, Vision 2000 National Parks System Restoration Act; S. 1695, Sand Creek Massacre National Historic Site Preservation Act; H.R. 2108, Dutch John Federal Property Disposition and Assistance Act; H.R. 2756, Kake Tribal Corporation Land Exchange Act; H.R. 3056, to provide for the preservation and sustainability of the family farm through the transfer of responsibility for operation and maintenance of the Flathead Indian Irrigation Project, Montana; H.R. 3381, Gallatin Land Consolidation Act of 1998; H.R. 3878, to subject certain reserved mineral interests of the operation of the Mineral Leasing Act; H.R. 3972, to amend the Outer Continental Shelf Lands Act to prohibit the Secretary of the Interior from charging State and local government agencies for certain uses of the sand, gravel, and shell resources of the Outer Continental Shelf; H.R. 4023, to provide for the conveyance of the Forest Service property in Kern County, California, in exchange for county lands suitable for inclusion in

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Sequoia National Forest; H.R. 4166, to amend the Idaho Admission Act regarding the sale or lease of school land; H.R. 4313, to amend the Revised Organic Act of the Virgin Islands to provide that the number of members on the legislature of the Virgin Islands and the number of such members constituting a quorum shall be determined by the laws of the Virgin Islands; and H.R. 4389, to provide for the conveyance of various reclamation project facilities to local water authorities.

September 2, 1998Field hearing held in Pasco, Washington, on H.R. 4335, to transfer to the Secretary of the Interior the functions of the Secretary of Commerce and the National Marine Fisheries Service under the Endangered Species Act of 1973. Printed Hearing 105-111.

September 3, 1998Field hearing held in Boise, Idaho, on H.R. 4335, to transfer to the Secretary of the Interior the functions of the Secretary of Commerce and the National Marine Fisheries Service under the Endangered Species Act of 1973. Printed Hearing 105-111.

September 16, 1998Markup held on H.R. 1608, to authorize the Pyramid of Remembrance Foundation to establish a memorial in the District of Columbia or its environs to soldiers who have died in foreign conflicts other than declared wars; H.R. 3088, to amend the Alaska Native Claims Settlement Act, regarding Huna Totem Corporation public interest land exchange; and H.R. 4223, Colusa Basin Watershed Integrated Resources Management Act.

October 7, 1998Approval of a Committee report concerning the Grand Staircase Escalante National Monument. Report 105-824.

Hearing held on H.R. 2822, Swan Creek Black River Confederated Ojibwa Tribes of Michigan Act. Printed Hearing 105-116.B. Bills within the committee on resources jurisdiction that were held at the Speakers desk and not referred to the Committee on Resources Enacted into law

S. 391, provides for the disposition of certain funds appropriated to pay judgment in favor of the Mississippi Sioux Indians, and for other purposes (Public Law 105-387).

S. 538, authorizes the Secretary of the Interior to convey certain facilities of the Minidoka project to the Burley Irrigation District, and for other purposes (Public Law 105-351).

S. 587, requires the Secretary of the Interior to exchange certain lands located in Hinsdale County, Colorado (Public Law 105-74).

S. 588, provides for the expansion of the Eagles Nest Wilderness within the Arapaho National Forest and the White River National Forest, Colorado, to include land known as the Slate Creek Addition (Public Law 105-75).

S. 589, provides for a boundary adjustment and land conveyance involving the Raggeds Wilderness, White River National Forest, Colorado, to correct the effects of earlier erroneous land surveys (Public Law 105-76).

S. 591, transfers the Dillon Ranger District in the Arapaho National Forest to the White River National Forest in the State of Colorado (Public Law 105-77).

S. 871, establishes the Oklahoma City National Memorial as a unit of the National Park System, to designate the Oklahoma City Memorial Trust, and for other purposes (Public Law 105-58).

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S. 890, disposes of certain Federal properties located in Dutch John, Utah, to assist the local government in the interim delivery of basic services to the Dutch John community, and for other purposes (Public Law 105-326).

S. 910, authorizes appropriations for carrying out the Earthquake Hazards Reduction Act of 1977 for fiscal years 1998 and 1999, and for other purposes (Public Law 105-47).

S. 927, reauthorizes the Sea Grant Program (Public Law 105-160).

S. 931, designates the Marjory Stoneman Douglas Wilderness and the Ernest F. Coe Visitor Center (Public Law 105-82).

S. 1559, provides for the design, construction, furnishing, and equipping of a Center for Historically Black Heritage within Florida A&M University (Public Law 105-138).

S. 1683, transfers administrative jurisdiction over part of the Lake Chelan National Recreation Area from the Secretary of the Interior to the Secretary of Agriculture for inclusion in the Wenatchee National Forest (Public Law 105-239).

S. 2069, permits the mineral leasing of Indian land located within the Fort Berthold Indian Reservation in any case in which there is consent from a majority interest in the parcel of land under consideration for lease (Public Law 105-188).

S. 2106, expands the boundaries of Arches National Park, Utah, to include portions of certain drainages that are under the jurisdiction of the Bureau of Land Management, and to include a portion of Fish Seep Draw owned by the State of Utah, and for other purposes (Public Law 105-329).

S. 2413, prohibits the conveyance of Woodland Lake Park tract in Apache-Sitgreaves National Forest in the State of Arizona unless the conveyance is made to the town of Pinetop-Lakeside or authorized by Act of Congress (Public Law 105-344). Passed House of Representatives

S. 469, designate a portion of the Sudbury, Assabet, and Concord Rivers as a component of the National Wild and Scenic Rivers System. (Passed House amended).

S. 1677, reauthorizes the North American Wetlands Conservation Act and the Partnerships for Wildlife Act. (Passed House amended). C. Legislation enacted

H.J. Res. 32, consents to certain amendments enacted by the Legislature of the State of Hawaii to the Hawaiian Homes Commission Act, 1920 (Public Law 105-21).

H.R. 79, provides for the conveyance of certain land in the Six Rivers National Forest in the State of California for the benefit of the Hoopa Valley Tribe (Public Law 105-79).

H.R. 700, removes the restriction on the distribution of certain revenues from the Mineral Springs parcel to certain members of the Agua Caliente Band of Cahuilla Indians (Public Law 105-308).

H.R. 1003, clarifies Federal law with respect to restricting the use of Federal funds in support of assisted suicide (Public Law 105-12).



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H.R. 1420, amends the National Wildlife Refuge System Administration Act of 1966 to improve the management of the National Wildlife Refuge System, and for other purposes (Public Law 105-57).

H.R. 1460, allows for election of the Delegate from Guam by other than separate ballot, and for other purposes (Public Law 105-209).

H.R. 1476, settles certain Miccosukee Indian land takings claims within the State of Florida (enacted as part of Public Law 105-83).

H.R. 1604, provides for the division, use, and distribution of judgment funds of the Ottawa and Chippewa Indians of Michigan pursuant to dockets numbered 18-E, 58, 364, and 18-R before the Indian Claims Commission (Public Law 105-143).

H.R. 1948, provides for the exchange of lands within Admiralty Island National Monument (Public Law 105-60).

H.R. 2000, amends the Alaska Native Claims Settlement Act to make certain clarifications to the land bank protection provisions, and for other purposes (Public Law 105-333).

H.R. 2259, provides for a transfer of land interests in order to facilitate surface transportation between the cities of Cold Bay, Alaska, and King Cove, Alaska, and for other purposes (enacted as part of Public Law 105-277).

H.R. 2370, amends the Organic Act of Guam for the purposes of clarifying the local judicial structure and the office of Attorney General (Public Law 105-291).

H.R. 2863, amends the Migratory Bird Treaty Act to clarify restrictions under that Act on baiting, to facilitate acquisition of migratory bird habitat, and for other purposes (enacted as part of Public Law 105-312).

H.R. 3042, amends the Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992 to establish the United States Institute for Environmental Conflict Resolution to conduct environmental conflict resolution and training, and for other purposes (Public Law 105-156).

H.R. 3069, extends the Advisory Council on California Indian Policy to allow the Advisory Council to advise Congress on the implementation of the proposals and recommendations of the Advisory Council (Public Law 105-294).

H.R. 3903, provides for an exchange of lands located near Gustavus, Alaska, and for other purposes (Public Law 105-317).

H.R. 4068, makes certain technical corrections in laws relating to Native Americans, and for other purposes (Public Law 105-256).

H.R. 4284, authorizes the Government of India to establish a memorial to honor Mahatma Gandhi in the District of Columbia (Public Law 105-284).

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H.R. 4326, transfers administrative jurisdiction over certain Federal lands located within or adjacent to the Rogue River National Forest and to clarify the authority of the Bureau of Land Management to sell and exchange other Federal lands in Oregon (Public Law 105-321).

H.R. 4501, requires the Secretary of Agriculture and the Secretary of the Interior to conduct a study to improve the access for persons with disabilities to outdoor recreational opportunities made available to the public (Public Law 105-359).

S. 156, provides certain benefits of the Pick-Sloan Missouri River Basin program to the Lower Brule Sioux Tribe (Public Law 105-132).

S. 1092, provides for a transfer of land interests in order to facilitate surface transportation between the cities of Cold Bay, Alaska, and King Cove, Alaska, and for other purposes (enacted as part of Public Law 105-277).D. Legislation passed House

H. Con. Res. 151 (H. Rept. 105-330), expressing the sense of the Congress that the United States should manage its public domain National Forests to maximize the reduction of carbon dioxide in the atmosphere among many other objectives and that the United States should serve as an example and as a world leader in actively managing its public domain national forests in a manner that substantially reduces the amount of carbon dioxide added to the atmosphere.

H. Res. 494 (H. Rept. 105-751), expressing the sense of the House of Representatives that the United States has enjoyed the loyalty of the United States citizens of Guam, and that the United States recognizes the centennial anniversary of the Spanish-American War as an opportune time for Congress to reaffirm its commitment to increase self-government consistent with self-determination for the people of Guam. -

H.R. 856 (H. Rept. 105-131, Part I), to provide a process leading to full self-government for Puerto Rico.

H.R. 901 (H. Rept. 105-245), to preserve the sovereignty of the United States over public lands and acquired lands owned by the United States, and to preserve State sovereignty and private property rights in non-Federal lands surrounding those public lands and acquired lands.

H.R. 976 (H. Rept. 105-242), to provide for the disposition of certain funds appropriated to pay judgment in favor of the Mississippi Sioux Indians, and for other purposes. (See S. 391 (P.L. 105-387) for further action)

H.R. 1805 (H. Rept. 105-301), to amend the Auburn Indian Restoration Act to establish restrictions related to gaming on and use of land held in trust for the United Auburn Indian Community of the Auburn Rancheria of California.

H.R. 1833 (H. Rept. 105-765), to amend the Indian Self-Determination and Education Assistance Act to provide for further Self-Governance by Indian Tribes, and for other purposes.

H.R. 2493 (H. Rept. 105-346, Part II), to establish a mechanism by which the Secretary of Agriculture and the Secretary of the Interior can provide for uniform management of livestock grazing on Federal lands.

H.R. 2742 (H. Rept. 105-575), to provide for the transfer of public lands to certain California Indian Tribes.

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S. 1079, to permit the mineral leasing of Indian land located within the Fort Berthold Indian Reservation in any case in which there is consent from a majority interest in the parcel of land under consideration for lease. (See S. 2069 (P.L. 105-188) for further action)E. Legislation ordered reported by committee

H.R. 478 (H. Rept. 105-75), to amend the Endangered Species Act of 1973 to improve the ability of individuals and local, State, and Federal agencies to comply with that Act in building, operating, maintaining, or repairing flood control projects, facilities, or structures.

H.R. 752 (H. Rept. 105-42), to amend the Endangered Species Act of 1973 to ensure that persons that suffer or are threatened with injury resulting from a violation of the Act or a failure of the Secretary to act in accordance with the Act have standing to commence a civil suit on their own behalf.

H.R. 757 (H. Rept. 105-38), to develop the economy of American Samoa.

H.R. 948 (H. Rept. 105-351), to reaffirm and clarify the Federal relationship of the Burt Lake Band as a distinct federally recognized Indian Tribe, and for other purposes.

H.R. 1154 (H. Rept. 105-737), to provide for administrative procedures to extend Federal recognition to certain Indian groups, and for other purposes.

H.R. 1842 (H. Rept. 105-781), to terminate further development and implementation of the American Heritage Rivers Initiative.

H.R. 1983 (H. Rept. 105-692), to amend the Rhode Island Indian Claims Settlement Act to conform that Act with the judgments of the United States Federal Courts regarding the rights and sovereign status of certain Indian Tribes, including the Narragansett Tribe, and for other purposes.

H.R. 2314 (H. Rept. 105-707, Part I), to restore Federal Indian services to members of the Kickapoo Tribe of Oklahoma residing in Maverick County, Texas, to clarify United States citizenship status of such members, to provide trust land for the benefit of the Tribe, and for other purposes.

H.R. 2756 (H. Rept. 105-783), to authorize an exchange of property between the Kake Tribal Corporation and the Sealaska Corporation and the United States.

H.R. 2812 (H. Rept. 105-716), to provide for the recognition of certain Native communities under the Alaska Native Claims Settlement Act, and for other purposes.

H.R. 3087 (H. Rept. 105-782), to require the Secretary of Agriculture to grant an easement to Chugach Alaska Corporation.

H.R. 3088 (H. Rept. 105-784), to amend the Alaska Native Claims Settlement Act regarding Huna Totem Corporation public interest land exchange, and for other purposes.

H.R. 3797 (H. Rept. 105-696), to compensate the Wyandotte Tribe of Oklahoma for the taking of certain rights by the Federal Government, and for other purposes.

H.R. 4313, to amend the Revised Organic Act of the Virgin Islands to provide that the number of members of the legislature of the Virgin Islands and the number of such members constituting a quorum shall be determined by the laws of the Virgin Islands.

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H.R. 4389 (H. Rept. 105-785), to provide for the conveyance of various reclamation project facilities to local water authorities, and for other purposes.

S. 459, to amend the Native American Programs Act of 1974 to extend certain authorizations, and for other purposes. (Re-referred to Committee on Education and the Workplace on October 30, 1997.)F. Reports approved by the Committee on Resources

House Report 105-569, Abuse of Power: Hardrock Bonding Rule.

House Report 105-824, Monumental Abuse: the Clinton Administrations Campaign of Misinformation In the Establishment of the Grand Staircase-Escalante National Monument.

#### IV. oversight activities of the full committee on resourcesA. Introduction

Trans-Alaska Pipeline:As of the 104th Congress, the Committee on Resources expanded its jurisdiction over the Trans-Alaska Pipeline System (TAPS). The Committee will continue its thorough oversight of the operation and safety of the pipeline. The Committee is particularly concerned that the repairs and maintenance upgrades agreed to by the operator of the pipeline (Alyeska Pipeline Service Company) as a result of Federal and internal audits, be sufficiently completed. The Committee will closely follow implementation of Alyeskas Quality Plan and the Native Utilization Agreement. Regular briefings and consultation will be required from Alyeska and the regulating agencies through the Joint Pipeline Office. In addition, Committee staff will perform field inspections of Alyeska equipment and facilities at least once a year to assess compliance and Alyeskas efforts and planning to manage declining crude oil throughout. A Member field inspection of the pipeline may occur as part of an Alaska issues field trip.

he Committee continued to monitor the implementation of Alyeskas Quality Plan and Native Utilization Agreement. Committee staff performed field inspections and a Member field inspection occurred in August of 1997.

Alaska Public Lands:In addition to the Trans-Alaska Pipeline, the full Committee retains jurisdiction over public lands in Alaska. The enormous mineral reserves, including petroleum, are of interest to the Committee. As the situation warrants, the Committee may hold one or more hearings on issues related to potential petroleum production in the Arctic National Wildlife Refuge. The National Petroleum Reserve-Alaska is the subject of renewed interest by the State of Alaska and the oil and gas industry. During this Congress, the Committee may hold an oversight hearing on the Department of the Interiors planning study of this area and any further development restrictions the Administration may pursue and to ensure that lease decisions are not overly process-oriented.

riefings by the Bureau of Land Management and by the Secretary of the Interiors Special Assistant for Alaska were held regarding plans for leasing a portion of the National Petroleum Reserve-Alaska for oil and gas development. The Chairman additionally submitted comments on the Bureau of Land Management planning document for such leasing. The Committee also held hearings on legislation to resolve a number of local land-use conflicts and problems in Alaska. The Committees oversight of oil and gas leasing in this region continues.

Matters Related to the Tongass National Forest:The Forest Service is expected to release its revision of the Tongass Land Management Plan in early 1997. Extensive oversight on the land management planning process used to compose the plan is needed. Criticisms of the draft plan and the planning process include

the very expensive nature of the plan, the length of time taken to compose the plan, the questionable procedures used to gather information on the plan, the shallow scientific basis for the plan, and the lack of study on the community economic effects associated with options under the draft plan alternatives. Each of these may be reviewed in oversight proceedings.

The Committee held two days of hearings with the Senate Energy and Natural Resources Committee on the Final Draft of the Tongass Land Management Plan as the first step in the Congressional review process provided by the 1996 amendments to the Regulatory Flexibility Act.

**Arctic National Wildlife Refuge:** Lease sales for oil exploration in the portion of the Arctic National Wildlife Refuge (ANWR) that is known as the "1002 Area" or the "Coastal Plain" (an area reserved for oil exploration) was authorized in the Balanced Budget Act of 1995, but the Act was vetoed by the President. The Committee intends to conduct further oversight hearings on the strong justifications for authorizing such oil lease sales and appropriate environmental safeguards when exploration and production of oil begin in ANWR. Hearings expected to be held.

Several Members of the Committee traveled to Alaska in 1997 and flew over the 1002 area of ANWR, and also landed in the only Native village located there, where a meeting was held with the local village leaders. The Committee also monitored the U.S. Geological Survey's revised assessment of the oil and gas potential in the 1002 area. H.R. 4755 was introduced by the Chairman Don Young, to provide for the collection and interpretation of non-intrusive 3-dimensional seismic data on the 1002 area.

**Endangered Species Act Reauthorization:** The Endangered Species Act (ESA) was last reauthorized in 1988 for four years. During the 104th Congress, the Committee on Resources focused a great deal of oversight on the implementation and administration of the ESA resulting in the introduction of H.R. 2275, the Endangered Species Conservation and Management Act of 1995. Although H.R. 2275 was reported by the Committee on Resources, it was not brought up by the House of Representatives. No further legislative action was taken on the ESA in the House of Representatives. However, the Committee on Resources held an additional five oversight hearings on the implementation and administration of the ESA.

During the 105th Congress, the Committee plans to continue to hold oversight hearings on the Endangered Species Act. It is expected that legislation will be introduced during the 105th Congress to address many of the concerns raised in H.R. 2275 and as a result of oversight hearings.

Major issues that continue to be of concern include the credibility of the science used to list species, greater inclusion of States and local governments in ESA decision making, reducing frivolous litigation, protecting the rights of private property owners, ensuring that the goals of the ESA are reached through greater landowner incentives, determining whether the recovery goals of the ESA are being achieved, ensuring that the ESA does not impede important Federal laws and missions, particularly those designed to protect public health and safety, ensuring greater public involvement, greater consideration of socio-economic impacts, and others.

During the 105th Congress, the Committee continued its oversight of the ESA. However, there was no comprehensive legislation introduced in the House of Representatives to rewrite the ESA. However, the Senate Committee on Environment and Public Works reported S. 1180 which was a broad rewrite of the ESA. S. 1180 was not passed by the Senate.

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n March 12, 1997, a markup was held on H.R. 752, "The Citizens Fair Hearing Act of 1997", to ensure that persons who suffer or are threatened with injury resulting from a violation of the ESA or a failure of the Secretaries of the Interior or Commerce to act in accordance with the ESA have standing to commence a civil suit on their own behalf. This legislation was the result of an oversight hearing held on September 17, 1996, on the issue of standing to sue under the ESA. The issue was resolved in a unanimous decision by the Supreme Court on March 19, 1997, in *Bennett v. Spear*, 117 S. Ct. 1154, in which the court held that persons who were asserting an economic injury as a result of action under the ESA had standing to challenge the action in court. This made further action on the bill unnecessary since the Supreme Court decision was consistent with H.R. 752.

n April 10, 1997, the Committee held a hearing in Washington, D.C. and via teleconference in Sacramento, California, on H.R. 478, to improve the ability of individuals and local, State, and Federal agencies to comply with the ESA in building, operating, maintaining, or repairing existing flood control projects, facilities, or structures and to determine whether Federal wildlife policies have impeded proper ongoing maintenance and repair of flood control structures.

he bill was favorably reported as amended on April 16, 1997, and considered by the House of Representatives on May 7, 1997. After an amendment in the nature of a substitute was adopted, the bill was withdrawn prior to a vote on final passage.

n March 5, 1998 an oversight hearing was held in Washington, D.C. on regional differences in the manner in which the ESA is implemented.

n July 15, 1998, an oversight hearing was held on the implementation of the ESA in the Southwestern region of the United States.

n September 2 and 3, 1998, oversight field hearings were held in Pasco, Washington, and Boise, Idaho, on the National Marine Fisheries Service role in implementing the ESA and on H.R. 4335 to transfer to the Secretary of the Interior the functions of the Secretary of Commerce and the National Marine Fisheries Services under the ESA.

On October 26, 1998, the Full Committee conducted a field hearing in Clovis, New Mexico, on how the ESA has been implemented in New Mexico.

UNESCO World Heritage Sites and Biosphere Reserves: On September 12, 1996, the Committee held an oversight hearing on designation of United Nations World Heritage Sites and Biosphere Reserves in the United States. The Committee found that these designations can result in further centralization of policy-making authority at the Federal level, particularly in the Executive Branch. They also result in less chance for input into land use decisions by individuals and affect the use and market value of private lands adjacent to or intermixed with Federal lands. The Committee plans a field hearing in New York and another in Wyoming to further examine problems associated with these land use designations. It is anticipated that legislation will be sent to the House to correct the problems identified with these programs after these hearings are concluded. The hearings will be held.

he Committee held an oversight field hearing on designation of United Nations World Heritage Sites and Biosphere Reserves in the United States at Tannersville, New York, on May 5, 1997. Without involving Congress, these designations give the Executive Branch a role in governing Federal lands that is in direct conflict with Article IV, section 3 of the Constitution which vests the power to make all needful rules and

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regulations governing lands belonging to the United States in the Congress. The Committee has found that these designations are made with little or no input from the affected local government, and that they result in further centralization of policy-making authority at the Federal level, particularly in the Executive Branch. They also affect the use and market value of private lands adjacent to or intermixed with Federal lands. Chairman Don Young introduced H.R. 901, The American Land Sovereignty Protection Act, to correct the problems identified with these international land use programs. The Committee held a legislative hearing on H.R. 901 on June 10, 1997, and favorably reported the bill on June 25, 1997. The House passed H.R. 901 on October 8, 1997 by a vote of 236 to 191.

**Environmental Matters in General:**The Full Committee retains jurisdiction over environmental measures and matters generally as they affect fish, wildlife, public domain lands and other resources within the Committee's jurisdiction. Many such measures are costly and may not produce tangible environmental benefits. The Committee may conduct oversight on the National Environmental Policy Act, particularly as it relates to project level Environmental Impact Statements for timber sale activities conducted in National Forests and Bureau of Land Management lands.

The Committee conducted oversight, including a hearing, on the National Environmental Policy Act (NEPA). The Administration admitted that it has "not well implemented" NEPA and testified to the shortcomings of NEPA: the huge proliferation of a purely paperwork bureaucracy; the unwarranted and unwise level of minutia into which NEPA delves; the sham of public participation when decisions have really been made already; the lack of collaboration among the Federal agencies; the Federal confrontations with state, local, and tribal governments; the intolerable delays in the disjointed process; the overly technical nature of the paperwork; the excruciating large amount of paperwork; the needless duplication of work; the endless litigation of NEPA; and thus the waste of taxpayers money which can be better spent. Alaska native issues

**Alaska Native Claims Settlement Act Amendments:**Chairman Don Young expects to reintroduce H.R. 2505, Alaska Native Claims Settlement Act (ANCSA) technical amendments. The bill passed the House in the 104th Congress; however, the Senate took no action on the bill. Hearings may be needed to assist in formulating any modifications. No objections from Administration should occur with the last version of H.R. 2505.

Chairman Don Young reintroduced an Alaska Native Claims Settlement Act (ANCSA) technical amendments bill (H.R. 2000) which was enacted into law.

**Alaska Native Veterans Allotment Bill (H.R. 2924):**Alaska Native Veterans who served in the military during the Korean and Vietnam eras missed their deadline to apply for native allotment lands. The Department of the Interior (DOI) first supported opening an allotment application process for veterans only, then did an about face. In Public Law 104-42, Congress directed the DOI and the Department of Veterans Affairs to determine how many Alaska Native veterans missed out in this application process, which lands are available for possible selections, etc. DOI had until August of 1996 to submit this report. However, they were late with the report to Congress. Oversight hearings will be held with input from the State of Alaska, Alaska Native veterans and DOI.

An oversight hearing was held in late 1997. Language was attached to the 1998 Interior Appropriations bill which authorized an "opening" of the application process for certain Alaska Native veterans. Additionally, the language called for a study with respect to the number of Alaska Native veterans who are affected by

the limited dates of 1968-1975 for eligibility for an allotment. All other Vietnam agency programs use August 5, 1964 through May 7, 1975, the full extent of the Vietnam war. The Department of the Interior opposed using the full extent of the war years for eligibility for Alaska Natives to apply for their native allotment, thereby discriminating against a group of people who are eligible for other veteran benefits.

**Hazardous Waste Contaminants on Alaska Native Regional Corporation Lands:**Public Law 104-42 directed DOI to conduct a study on hazardous wastes on lands transferred to Alaska Native Regional Corporations under ANCSA. DOI should have submitted its report to Congress by May 2, 1997. Based on the DOI exported report, legislation would have been introduced to help Native Corporations clean up any contaminated lands previously owned/used by the Federal government, then transferred to corporations under ANCSA. Oversight hearings on this issue will occur to examine liability issues, which are a major concern with cleanup efforts.

s of December 1998, the DOI has failed to submit its report to Congress (which was due May 2, 1997) with regard to hazardous wastes on lands transferred to Alaska Native Regional Corporations under ANCSA. Again, the DOI is over a year late on important land issues with respect to Alaska Native Regional Corporation lands transferred pursuant to ANCSA.

**Alaska "Indian Country" Ruling:**The Committee will closely monitor the effects of recent court rulings concerning the applicability of "Indian County" status within Alaska and the Committee may hold oversight hearings as needed.

he Committee continued to monitor this situation and may hold oversight hearings next Congress if needed.

**Indian Child Welfare Act Amendments:**An oversight hearing on the issues raised in H.R. 3828, the Indian Child Welfare Act Amendments, (which was introduced in the 104th Congress) and other aspects of the Indian Child Welfare Act (ICWA) may occur as needed before reintroduction of legislation.

n oversight hearing was held on June 18, 1997, on H.R. 3828/S. 1082, the Indian Child Welfare Act Amendments.

**Alaska Native Commission Report Follow-up:**Based on the study that the Alaska Federation of Natives (AFN) is expected to complete by the end of this fiscal year, Chairman Don Young may conduct oversight on social problems of alcoholism, drug abuse, unemployment and domestic issues concerning Alaska Natives.

The report is still being finalized. Oversight on this report should occur next Congress.

**Interior Appropriations Requests for Alaska:**Chairman Young receives annual Interior Appropriations requests from different Native entities in Alaska for the Bureau of Indian Affairs, Indian Health Service and other native programs funded within this appropriations bill. As needed, oversight hearings may be scheduled on matters related to authorizing language that forms the basis for the appropriations requests.

he Committee continued to monitor these requests and will hold oversight hearings next Congress on measures related to authorizing language.

**National Park System Management in Alaska Near Native Lands:**The Committee plans to hold hearings to understand the way the National Park System is managed in Alaska and elsewhere in the U.S. and the role



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of Native Alaskans in the National Park System. An oversight hearing on the issues raised in H.R. 3828, the Indian Child Welfare Act Amendments, (which was introduced in the 104th Congress) and other aspects of the Indian Child Welfare Act (ICWA) may occur as needed before reintroduction of that bill.

The Committee was unable to schedule hearings on this issue due to time constraints and expects to follow up on this issue next Congress.

Native American Affairs

Budget Overview: Hearings will be held on that portion of the Presidents budget proposal which relates to Native Americans.

o specific hearings were held on the Presidents budget for Native American issues; however, the Committee continued to review the Presidents budget requests.

Indian Gaming: The Committee will oversee the many problems which plague the implementation of the 1988 Indian Gaming Regulatory Act, as well as the operation of the Indian Gaming Commission created pursuant to that Act.

Efforts to amend the Indian Gaming Regulatory Act of 1988 have focused upon a series of ongoing negotiations between representatives of the Tribes, representatives of the States governors, representatives of the States Attorneys General, and Congressional staff. Although the conduct of Indian gaming has resulted in extensive litigation throughout the Nation, the 105th Congress, like those Congresses preceding it, was unable to craft and pass any meaningful legislation which would resolve the many gaming-related issues in dispute between Tribes and the States.

Reorganization of the Bureau of Indian Affairs: The Committee will review ongoing efforts to reorganize the Bureau of Indian Affairs (BIA). It is alleged that the BIA has suffered from a bureau-wide loss of experienced personnel. The Committee continues to hear from Tribes which contend that most of the funds appropriated to the BIA are spent on Washington bureaucrats instead of the needs of Tribes.

The Committee staff continued its efforts to review various proposals to reorganize the Bureau of Indian Affairs.

Mismanagement of Indian Trust Accounts: In the Summer of 1997 and again in the Spring of 1998, the Committee will review remedial steps taken by the Department of the Interior to terminate once and for all the mismanagement of Indian Trust Accounts. Funds which tribes and individual tribal members recover from land or water settlements, treaty provisions, oil or gas leases, hard rock mineral leases, timber sales, and so forth, are deposited in trust fund accounts managed by the Office of Trust Fund Management. As of January 1997, hundreds of thousands of these accounts could not be reconciled.

A strategic plan, formulated by the Special Trustee for Native Americans and to be implemented by the Secretary, will be reviewed in late 1997 and early 1998. Oversight hearings may occur subsequent to submittal of the plan.

Committee staff reviewed actions taken by the Department of the Interior to audit and account for the documented mismanagement of Indian trust accounts. These accounts, which consist of much of the money which tribes have received in years past from land or water settlements or treaty provisions, and which individual tribal members receive from the same sources or from oil or gas leases on reservation, are now managed by the Office of Trust Fund Management, an entity which has been removed from the

Bureau of Indian Affairs (BIA) and placed within the Office of the Secretary of the Department of the Interior. In addition, the ongoing policy disagreements between the Secretary of the Interior and the Office of the Special Trustee for American Indians continues to be reviewed by Committee staff.

**Regulation Reform:**The Committee will review, in the Summer of 1997 and again in the Summer of 1998, the need for and advisability of reducing and eliminating those Federal rules and regulations falling within its jurisdiction which relate to Native Americans.

As in years past the Committee continued in its efforts to review the need for and advisability of reducing and eliminating those Federal rules and regulations falling within its jurisdiction. Hearings were not held but may become necessary during the 106th Congress.

**Insular Affairs**

**Resolving Puerto Ricos Political Status:**The Puerto Rico Legislature, representing 3.8 million U.S. citizens in this American territory in the Caribbean, has requested that the 105th Congress authorize a process to resolve their political status problem. Puerto Rico has successfully demonstrated the ability to operate under a local constitutional government first authorized and then conditionally approved by the Congress in 1950 and 1952, respectively. However, in spite of the decades of democratic changes of a republican form of local constitutional government under the U.S. Constitution, Puerto Rico has yet to achieve a permanent form of full self-government. Puerto Rico held a referendum in 1993 with locally defined status options in which an enhanced "commonwealth" received a plurality of 48 percent, statehood 46 percent, and independence 4 percent. The Committee on Resources considered and overwhelmingly rejected on a bipartisan basis the enhanced "commonwealth" ballot definition as unconstitutional and fiscally and politically inviable. The Puerto Rico Legislatures request makes it clear that permanent disenfranchisement is unacceptable, and that the U.S. must define the political status options of a final relationship of dignity to both parties.

The United States-Puerto Rico Political Status Act, reported by the Committee on Resources as H.R. 3024 and subsequently updated as H.R. 4281 in the 104th Congress, provides a bipartisan and balanced framework "to provide a process leading to full self-government for Puerto Rico." The legislation would have authorized a referendum in Puerto Rico before the end of 1998, in which the people would choose between separate sovereignty, statehood, or continuing the current Commonwealth of Puerto Rico structure of local self-government as a territory. The vote would be repeated every four years until a majority of the people are ready to proceed toward complete enfranchisement under separate sovereignty or statehood. A transition plan of 10 years is required with a majority vote for separate sovereignty or statehood. Both Congress and the people of Puerto Rico would have been required to approve the transition plan. Similarly, the bill would have required a final implementation act to be approved by both Congress and the people of Puerto Rico. The legislation would have been a self-determination process, as the people of Puerto Rico have the final say in each of the three stages after Congress acts. The proposed legislation would have required English to be the official language of Federal courts and Federal agencies in Puerto Rico under statehood, required English language incentives in any statehood transition plan, and encouraged enhancement of the existing century old law in Puerto Rico establishing English as an official language while respecting the Tenth Amendment rights of the people and the state.

Hearings on the legislation are expected to be held in Washington, D.C., and Puerto Rico to obtain views of the Administration, leaders of Puerto Rico, and individuals and organizations in Puerto Rico. A similar bill was introduced in the Senate in the 104th Congress and a bicameral effort is anticipated in the 105th

Congress to enable the people of Puerto Rico to voice their preference in 1998 towards a final political status.

Legislation was introduced to authorize a long-term process to resolve the United States political status problem with the nearly four million U.S. citizens in the American territory of Puerto Rico, the United States-Puerto Rico Political Status Act (H.R. 856). Hearings were conducted in Washington and Puerto Rico prior to the passage of the bill by the Committee and subsequently the full House. The Senate then held five oversight and legislative hearings related Puerto Rico status legislation and H.R.856 and ultimately passed Senate Resolution 279 endorsing a referendum in Puerto Rico, consistent with the intent of the House approved bill. The Government of Puerto Rico scheduled a referendum for December 1998 to petition Congress about their relationship with the U.S., using definitions consistent with H.R.856 and recognizing that only Congress can change Puerto Ricos status.

Enforcement of Federal Criminal Laws in American Samoa:The Department of Justice forwarded a proposal to Congress in October 1996 to establish for the first time Federal court jurisdiction in American Samoa. A December 1994 report on white-collar crime in American Samoa from the Federal Bureau of Investigation indicated action was required by the Federal government to prosecute alleged violations of Federal law. However, without Federal district court jurisdiction, the Department of Justice claimed there could be no enforcement. There exists strong concern from leaders in all three branches of the American Samoa Government that the Department of Justice and the Department of the Interior have not adequately sought local input for a solution. Given the unique land tenure system and extended family structures, which are primary factors in Samoan culture and are referenced in the original Deeds of Cession recognized by Congress, the Committee will obtain views from the leaders of American Samoa to develop appropriate measures to prosecute white-collar crime. A field hearing before the end of 1997 is important to gain the widest participation from the people of American Samoa as the Committee determines the best approach to enforce violations. The Committee expects to develop legislative recommendations with the Committee on the Judiciary.

Oversight field meetings were conducted in American Samoa with the three branches of the Government of American Samoa regarding the Federal Department of Justice proposal to establish Federal court jurisdiction. Additional meetings were held in Washington with Federal and American Samoa officials about enforcement of Federal laws and alternatives to prosecute criminal violations in Federal and local Samoan courts.

Compliance with Inspector General Audit Recommendations:The Inspector General of the Department of the Interior has conducted audits in the insular areas, citing numerous problems, some with estimated costs in the hundreds of millions of dollars. The recommendations contained in the audits are often ignored by the insular governments, even after repeated written and oral contacts. As the insular areas receive Federal programs and funds, the misuse of funds or mismanagement of resources, whether local or federal, creates liabilities which are ultimately born by the U.S. taxpayers. The 104th Congress set conditions for the receipt of certain Federal funds by an insular area. The Committee will examine alternative measures to condition the receipt of certain funding with compliance by insular areas with major Inspector General Audit recommendations. Discussions will be conducted with the Administration and the insular areas and hearings held on specific legislative approaches.

Meetings were held with Federal officials regarding Inspector General audit reports and the lack of adequate response by the insular governments. Alternative legislative and executive approaches to

ensuring compliance with audit recommendations and conditional receipt of Federal funds were discussed.

**Self-Sufficiency Initiatives for the Virgin Islands and American Samoa:**The Committee will consider the request of leaders of the Virgin Islands and American Samoa for the establishment of limited duration, non-paid, public-private commissions to identify specific economic development strategies and recommendations. Any such legislatively created commissions to develop credible and effective fiscal and economic recommendations for private sector led development in these territories will require private sector input, consideration of the unique cultural and historical characteristics and geographic resources of the islands, and timely conclusion of the commissions. This will be accomplished through oversight hearings.

Hearings were conducted to consider legislation to provide for executive branch commissions to identify specific economic development strategies and recommendations for American Samoa and the United States Virgin Islands, the American Samoa Development Act (H.R. 757) and the Omnibus Territories Act (S. 210). The Committee approved H.R. 757 and it was placed on the Union Calendar for consideration by the House. The Administration subsequently established an economic development commission for the same purpose through existing authority, after formally supporting the objectives of H.R. 757 to analyze and plan for the economic future of American Samoa. There are indications that the Administration will also support directed efforts for economic development in the U.S. Virgin Islands.

**Changes to the Organic Acts of Guam and the Virgin Islands:**The Committee will review proposals from the elected leaders of the U.S. territories of Guam and the Virgin Islands to amend certain provisions of their respective organic acts which provide the legal basis for the governance of these areas. Congressional action is required in absence of the adoption of local constitutions which Congress has already authorized to advance the territories toward self-government but without limiting the territories further progress towards full self-government. The Committee will consider legislative measures to effectuate the requested changes to the organic acts of Guam and the Virgin Islands.

Hearings were held on changes to the organic acts and certain Federal laws pertaining to Guam and the Virgin Islands: the Guam Ballot Requirement (H.R. 1460), the Guam Organic Act (H.R. 2370), the Omnibus Territories Act (S. 210), and the Revised Organic Act of the Virgin Islands (H.R. 4313). Meetings were also conducted in both Guam and the Virgin Islands with leaders regarding various proposals to increase the powers of local self-government by changing Federal laws which provide the legal basis for the governance of these areas, as neither territory has yet to adopt constitutions. The House approved and the Congress enacted into law H.R. 1460 and H.R. 2370.

**Changes to the Hawaiian Homes Commission Act:**The Committee will consider legislative action early in 1997 consenting to changes to the Hawaiian Homes Commission Act 1920 proposed by the State of Hawaii. The Hawaii State Legislature enacted measures to provide certain changes to the Hawaiian Homes Commission Act, which although they do not result in any increased cost to the Federal government, are helpful to Native Hawaiians. One provision would permit grandchildren of a Native Hawaiian leaseholder to assume the remainder of the home lease should that individual die. Another provision would facilitate certain disaster relief bonds. Congress must act on any proposed change to the Hawaiian Homes Commission Act by the State of Hawaii pursuant to the 1959 Hawaii State Admissions Act.

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The Committee approved legislation emphasizing the importance of the extended family and self-reliance among Native Hawaiians by permitting people awarded Hawaiian homesteads to be able to designate grandchildren as successors and separately to permit the issuance of hurricane insurance coverage for lessees of Hawaiian home lands, the Hawaiian Homes Commission Act Amendments (H.J. Res. 32). This measure subsequently was approved by the House and Senate and became public law (P.L. 105-21).

**Oversight of the Compacts of Free Association:**The U.S. special free association relationship with the separate sovereign nations of the Republic of the Marshall Islands and the Federated States of Micronesia embodied in compacts of free association requires the Executive Branch to enter into negotiations during the next Congress. The Committee will conduct discussions and oversight hearings in the freely associated states by the end of 1997 and in early 1998 to establish a record and gain input on the effectiveness of Federal programs and funding to date and possible changes which will enhance the United States-Freely Associated States relationships. A joint hearing with the Committee on International Relations Subcommittee on Asia and the Pacific is intended to build on the cooperative efforts of the 104th Congress of the two committees of jurisdiction for the Compacts of Free Association.

Oversight meetings were held in the freely associated states with leaders of the Republic of the Marshall Islands, the Federated States of Micronesia and the Republic of Palau, and U.S. officials regarding the current and prospective special free association relationship between the U.S. and islands of the former U.S. administered trust territory. On-site inspections were conducted with Federal and Palauan officials of the proposed Compact road around the big island in Palau to insure appropriate compliance with Federal auditing, safety, and environmental standards in this major U.S. funded project. Additional discussions were conducted in Washington with officials of the freely associated states and the U.S. State, Defense, Interior, and Energy Departments. A hearing was held on introduced legislation calling for Program Extension For Communities In The Former United States Trust Territory (H.R. 1460), and also the Omnibus Territories Act (S. 210). The provision in H.R. 1460 was approved by the House and Senate and became law. A joint oversight hearing on the Compacts of Free Association was held with the Committee and the Committee on International Relations Subcommittee on Asia and the Pacific.

**Consideration of Plan for Guam Excess Lands:**The Committee will examine plans to dispose of Federal land in Guam which the Federal government has or will declare as excess to the needs of the military, who owns nearly one-third of the territory. An oversight hearing will be held by mid-1997 regarding the Government of Guam's plan for local public benefit use of certain Federal excess land on Guam and the Administration's progress in completing appraisals of those parcels as required in Public Law 103-339. Also during the first half of 1997, the Committee will also consider enacting legislation to establish a U.S. policy providing Guam with the initial opportunity to claim Federal land declared as excess.

The Committee held a hearing to examine legislative proposals for a streamlined policy process for the disposition of Federal land in Guam declared excess by the Federal government, the Omnibus Territories Act (S. 210). Oversight discussions were conducted in Guam on plans to dispose of Federal land in Guam which the Federal government has or will declare as excess to the needs of the military. Meetings were conducted in Washington with Guam and U.S. officials regarding the completion of the transfer to Guam of Federal land authorized in Public Law 103-339.

**Advancing Hazardous Waste Clean-up Plans in the Northern Mariana Islands:**The dynamic economy of the territory of the Commonwealth of the Northern Mariana Islands (NMI) requires timely implementation of hazardous waste clean-up and construction of a new landfill. Although an

administrative compliance order is in effect regarding a phased hazardous waste clean-up schedule in Saipan, certain Federal agencies have not committed to pay their respective part of the hazardous waste clean-up plan. The Committee will conduct discussions and oversight field hearings with Federal agencies and the NMI government in the Marianas and in Washington, D.C., to advance the implementation of hazardous waste clean-up plans to ensure continuity in the increasingly self-sufficient economy.

Oversight discussions were held with Federal officials regarding the Federal responsibilities in the court-ordered compliance with Federal environmental standards for the outdated waste disposal site in the Commonwealth of the Northern Mariana Islands. Inspections were conducted with NMI officials of the hazardous waste disposal site and the proposed new disposal locations. Meetings were held in Washington with NMI leaders regarding funding allocated for the establishment of an alternative waste disposal site and completion of hazardous waste clean-up plans meeting the court-ordered compliance. Additional oversight hearings held

Government Performance and Results Act/Year 2000 Computer Problem: The Committee held a hearing on the Government Performance and Results Act as well as the Year 2000 computer problem. The Acting Inspector General for the Department of the Interior and the U.S. General Accounting Office (GAO) said Interior is not setting appropriate goals or measuring progress as required by law. Barry T. Hill with the GAO testified that Interior's plans "do not provide a clear picture of intended performance." And he said Interior failed to come up with concrete plans to address many of the specific problem areas his agency and Congress have identified in recent years. They include:

- (1) Improving management of Indian trust funds, where accountability over its \$3 billion in assets is shaky.
- (2) Prioritizing maintenance needs in parks.
- (3) Consolidating similar activities across its agencies such as the park service, wildlife service and the Bureau of Land Management to save money.

The Acting Interior Inspector General said his review of the Interior land management agencies concluded they "had inadequate management controls and/or insufficient funding to effectively manage their operations and maintenance activities and consequently, the inventory of needed facility repairs and rehabilitations has increased significantly in recent years. GAO also warned that Interior agencies may not be moving fast enough, something that Interior officials dispute, to solve its Year 2000 computer problems. He said many of Interior's key systems still have the problem where older programming contains only the last two digits of a year so they will assume the year 2000 is actually 1900, which can cause a malfunction when 2000 comes. B. Oversight hearings

April 9, 1997 Joint oversight hearing held with the Committee on Agriculture on the report on forest health by the Forest Health Science Panel requested by Representative Charles Taylor. Printed Hearing 105-1

May 1, 1997 Oversight hearing held on the provision in the 1997 Omnibus Appropriations Act which removed the Narragansett Indian Tribe of Rhode Island from the coverage of the Indian Gaming Regulatory Act. Printed Hearing 105-25 (See H.R. 1983)

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July 9, 1997 Joint oversight hearing with Senate Committee on Energy and Natural Resources on the Final Draft of the Tongass Land Management Plan as the first step in the Congressional review process provided by the 1996 amendments to the Regulatory Flexibility Act. Printed Hearing 105-48

July 10, 1997 Joint oversight hearing with Senate Committee on Energy and Natural Resources on the Final Draft of the Tongass Land Management Plan as the first step in the Congressional review process provided by the 1996 amendments to the Regulatory Flexibility Act. Printed Hearing 105-48

July 15, 1997 Oversight hearing held on the Clinton Administrations Proposal regarding the American Heritage Rivers Initiative. Printed Hearing 105-36 (See H.R. 1842)

September 30, 1997 Oversight hearing held on the issues surrounding use of fire as a management tool and its risks and benefits as they relate to the health of the National Forests and the Environmental Protection Agencys National Ambient Air Quality Standards. Printed Hearing 105-45

March 5, 1998 Oversight hearing held on the Endangered Species Act. Printed Hearing 105-80

March 18, 1998 Oversight hearing held on problems and issues with the National Environmental Policy Act. Printed Hearing 105-102

March 26, 1998 Joint oversight hearing held with the Budget Committee, and Appropriations Committee, Subcommittee on Interior on management of the U.S. Forest Service. Printed Hearing 105-82

April 22, 1998 Oversight hearing on Government Performance and Results Act.

May 13, 1998 Oversight hearing held on the National Forest Foundation.

June 9, 1998 Oversight hearing held on the impact of Federal land use policies on rural communities. Printed Hearing 105-90.

July 15, 1998 Oversight hearing held on Endangered Species Act. Printed Hearing 105-96

September 2, 1998 Oversight field hearing held in Pasco, Washington, on National Marine Fisheries Service role in implementing the Endangered Species Act of 1973. Printed Hearing 105-111

September 3, 1998 Oversight field hearing held in Boise, Idaho, on National Marine Fisheries Service role in implementing the Endangered Species Act of 1973. Printed Hearing 105-111

October 1, 1998 Oversight hearing held on Compacts of Free Association with the Marshall Islands, Federated States of Micronesia, and Palau. Printed Hearing 105-117

October 26, 1998 Oversight field hearing held in Clovis, New Mexico, on the Endangered Species Act.

v. full committee statistics

Total number of bills and resolutions held at full committee 121

Total number of bills held at Full Committee that were reported from Committee 42

Total number of bills held at Full Committee that were passed by the House- 30

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Total number of bills held at Full Committee that were enacted into law 22

Public Hearings and Markups:

Legislative Hearings 23

Oversight Hearings 17

Markup Sessions 24

Total number of meetings (days) 58

Subcommittee on National Parks and Public Lands

#### I. introduction

During the 105th Congress the Subcommittee on National Parks and Public Lands was very active in holding hearings on and passing numerous bills as part of the Subcommittees legislative agenda. As part of the agenda, the Subcommittee, under the direction of Chairman James V. Hansen (R-UT), was heavily involved in the negotiation of and making amendments to S. 1693, "The National Parks Omnibus Management Act of 1998". This landmark legislation, crafted with bi-partisanship, made significant changes to National Park Service policy, especially in terms of concessions, the method that new units are added to the National Park System, and how science is evaluated and integrated into National Park management decisions. Overall, the Subcommittee was referred 266 bills, held hearings on 65 bills, and enacted 74 bills.

The Subcommittee deserves credit for passing an extraordinary amount of legislation in the 105th Congress either individually or as part of larger packages. For example, the Subcommittee is responsible for H.R. 3910, the Automobile National Heritage Corridor Act, which was amended with sixteen other pieces of legislation that substantially improves the National Park System. Passage of this bill created new National Park units and memorials, expanded other park units, authorized the study of possible additions to the Park Service, and re-authorized many park unit commissions. Similarly, the Subcommittee can take credit for other legislation which provides opportunities for the public to enjoy units of the National Park System across the country. New wild and scenic rivers have been designated in Connecticut, national recreation areas expanded in Georgia, and new innovative park affiliations have been added in New York and in Arizona.

The Subcommittee and Chairman Hansen can also claim credit for a major land exchange in Utah between the Federal government and the Utah State School Trust. This legislation, H.R. 3830, represented a landmark breakthrough in disposal of the School Trust Lands surrounded by Federal land. This legislation authorized the trade of these lands out of National Parks, Monuments and Reservations for economically developable lands elsewhere in the State, greatly benefitting the school children of Utah.

Clearly, the 105th Congress and the Subcommittee on National Parks and Public Lands can be proud of the accomplishments to create, expand, and re-authorize National Park units and affiliated areas along with addressing many other important issues in regard to the management of public lands.

#### ii. jurisdiction



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- (1) Measures and matters related to the National Park System and its units, including Federal reserve water rights.
- (2) The National Wilderness Preservation System, except for wilderness created from forest reserves from the public domain, and wilderness in Alaska.
- (3) Wild and Scenic Rivers System, National Trails System, national heritage areas and other national units established for protection, conservation, preservation or recreational development administered by the Secretary of the Interior, other than coastal barriers.
- (4) Military parks and battlefields, national cemeteries administered by the Secretary of the Interior, parks in and within the vicinity of the District of Columbia and the erection of monuments to the memory of individuals.
- (5) Federal outdoor recreation plans, programs and administration including the Land and Water Conservation Fund, except those in public forests.
- (6) Plans and programs concerning non-Federal outdoor recreation and land use, including related plans and programs authorized by the Land and Water Conservation Fund Act of 1965 and the Outdoor Recreation Act of 1963, except those in public forests.
- (7) Preservation of prehistoric ruins and objects of interest on the public domain and other historic preservation programs and activities, including national monuments, historic sites and programs for international cooperation in the field of historic preservation.
- (8) Matters concerning the following agencies and programs: Urban Parks and Recreation Recovery Program, Historic American Buildings Survey, Historic American Engineering Record, and U.S. Holocaust Memorial.
- (9) Except for public lands in Alaska, public lands generally, including measures or matters relating to entry, easements, withdrawals, grazing and Federal reserved water rights.
- (10) Forfeiture of land grants and alien ownership, including alien ownership of mineral lands.
- (11) General and continuing oversight and investigative authority over activities, policies and programs within the jurisdiction of the Subcommittee.

iii. legislative activitiesA. Legislative hearings and markups

March 13, 1997Hearing held on H.R. 449, to provide for the orderly disposal of certain Federal lands in Clark County, Nevada, and to provide for the acquisition of environmentally sensitive lands in the State of Nevada. Printed Hearing 105-5

April 10, 1997Markup held on H.R. 449, to provide for the orderly disposal of certain Federal lands in Clark County, Nevada, and to provide for the acquisition of environmentally sensitive lands in the State of Nevada.

Hearing held on H.R. 136, to amend the National Parks and Recreation Act of 1978 to designate the Marjory Stoneman Douglas Wilderness and to amend the Everglades National Park Protection and

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Expansion Act of 1989 to designate the Ernest F. Coe Visitor Center; and H.R. 765, to ensure maintenance of a herd of wild horses in Cape Lookout National Seashore.

May 8, 1997Markup held on H.R. 1127, to amend the Antiquities Act to require an Act of Congress and the concurrence of the Governor and State legislature for the establishment by the President of national monuments in excess of 5,000 acres; and H.R. 765, to ensure maintenance of a herd of wild horses in Cape Lookout National Seashore.

May 20, 1997Hearing held on H.R. 60, to authorize the Secretary of the Interior to provide assistance to the Casa Malpais National Historic Landmark in Springerville, Arizona; H.R. 951, to require the Secretary of the Interior to exchange certain lands located in Hinsdale, Colorado; H.R. 822, to facilitate a land exchange involving private land within the exterior boundaries of Wenatchee National Forest in Chelan County, Washington; H.R. 1198, to direct the Secretary of the Interior to convey certain land to the City of Grants Pass, Oregon; and H.R. 960, to validate certain conveyances in the City of Tulare, Tulare County, California, and for other purposes.

June 10, 1997Hearing held on H.R. 588, to amend the National Trails System Act to create a new category of long-distance trails to be known as national discovery trails, to authorize the American Discovery Trail as the first trail in that category, and for other purposes; and H.R. 1513, to amend the National Trails System Act to designate the Lincoln National Historic Trail as a component of the National Trails System. Printed Hearing 105-22

June 17, 1997Hearing held on H.R. 1051, New Mexico Statehood and Enabling Act Amendments of 1997. Printed Hearing 105-30. Hearing held on H.R. 1567, to provide for the designation of additional wilderness lands in the eastern United States. Printed Hearing 105-35

June 19, 1997Markup held on H.R. 822, to facilitate a land exchange involving private land within the exterior boundaries of Wenatchee National Forest in Chelan County, Washington; H.R. 951, to require the Secretary of the Interior to exchange certain lands located in Hinsdale, Colorado; H.R. 960, to validate certain conveyances in the City of Tulare, Tulare County, California, and for other purposes; H.R. 1110, to designate a portion of the Sudbury, Assabet, and Concord Rivers as a component of the National Wild and Scenic Rivers System; and H.R. 1198, to direct the Secretary of the Interior to convey certain land to the City of Grants Pass, Oregon.

June 24, 1997Hearing held on H.R. 1500, to designate certain Federal lands in the State of Utah as wilderness, and for other purposes; and H.R. 1952, to designate certain Bureau of Land Management lands in the State of Utah as wilderness. Printed Hearing 105-33

July 22, 1997Hearing held on H.R. 708, to require the Secretary of the Interior to conduct a study concerning grazing use of certain land within and adjacent to Grand Teton National Park, Wyoming, and to extend temporarily certain grazing privileges; H.R. 755, to amend the Internal Revenue Code of 1986 to allow individuals to designate any portion of their income tax overpayments, and to make other contributions, for the benefit of units of the National Park System; H.R. 1635, to establish within the United States National Park Service the National Underground Railroad Network to Freedom program, and for other purposes; and H.R. 1718, to provide for the conveyance of certain lands in Wyoming to the County of Park, Wyoming. Printed Hearing 105-37

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July 31, 1997 Markup held on H.R. 136, to amend the National Parks and Recreation Act of 1978 to designate the Marjory Stoneman Douglas Wilderness and to amend the Everglades National Park Protection and Expansion Act of 1989 to designate the Ernest F. Coe Visitor Center; H.R. 708, to require the Secretary of the Interior to conduct a study concerning grazing use of certain land within and adjacent to Grand Teton National Park, Wyoming, and to extend temporarily certain grazing privileges; and H.R. 1567, to provide for the designation of additional wilderness lands in the eastern United States.

September 9, 1997 Hearing held on H.R. 1849, to establish the Oklahoma City National Memorial as a unit of the National Park System, to designate the Oklahoma City Memorial Trust, and for other purposes. Printed Hearing 105-55

September 16, 1997 Hearing held on H.R. 351, to authorize the Secretary of the Interior to make appropriate improvements to a county road located in the Pictured Rocks National Lakeshore, and to prohibit construction of a scenic shoreline drive in that national lakeshore; H.R. 1714, to provide for the acquisition of the Plains Railroad Depot at the Jimmy Carter National Historic Site; H.R. 2136, to direct the Secretary of the Interior to convey, at fair market value, certain properties in Clark County, Nevada, to persons who purchased adjacent properties in good faith reliance on land surveys that were subsequently determined to be inaccurate; and H.R. 2283, to expand the boundaries of the Arches National Park in the State of Utah to include portions of the following drainages, Salt Wash, Lost Spring Canyon, Fish Sheep Draw, Clover Canyon, Cordova Canyon, Mine Draw, and Cottonwood Wash, which are currently under the jurisdiction of the Bureau of Land Management, and to include a portion of Fish Sheep Draw, which is currently owned by the State of Utah. Printed Hearing 105-51

October 7, 1997 Hearing held on H.R. 2313, to prohibit the construction of any monument memorial, or other structure at the site of the Iwo Jima Memorial in Arlington, Virginia; S. 731, to extend the legislative authority for construction of the National Peace Garden Memorial; and S. 423, to extend the legislative authority for the Board of Regents of Gunston Hall to establish a memorial to honor George Mason. Committee on Resources 105th Congress

Markup held on H.R. 1714, to provide for the acquisition of the Plains Railroad Depot at the Jimmy Carter National Historic Site; H.R. 2283, to expand the boundaries of the Arches National Park in the State of Utah to include portions of the following drainages, Salt Wash, Lost Spring Canyon, Fish Sheep Draw, Clover Canyon, Cordova Canyon, Mine Draw, and Cottonwood Wash, which are currently under the jurisdiction of the Bureau of Land Management, and to include a portion of Fish Sheep Draw, which is currently owned by the State of Utah; H.R. 755, to amend the Internal Revenue Code of 1986 to allow individuals to designate any portion of their income tax overpayments, and to make other contributions, for the benefit of units of the National Park System; H.R. 1635, to establish within the United States National Park Service the National Underground Railroad Network to Freedom program, and for other purposes; S. 731, to extend the legislative authority for construction of the National Peace Garden Memorial; and S. 423, to extend the legislative authority for the Board of Regents of Gunston Hall to establish a memorial to honor George Mason.

October 9, 1997 Hearing held on H.R. 2186, to authorize the Secretary of the Interior to provide assistance to the National Historic Trails Interpretive Center in Casper, Wyoming; H.R. 1811, to ensure the long-term protection of the resources of the portion of the Columbia River known as the Hanford Reach; and H.R. 1477, to amend the Wild and Scenic Rivers Act to designate a portion of the Columbia River as a recreational river, and for other purposes.

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October 21, 1997Hearing held on H.R. 1522, to extend the authorization for the National Historic Preservation Fund. Printed Hearing 105-66

October 30, 1997Markup held on H.R. 2186, to authorize the Secretary of the Interior to provide assistance to the National Historic Trails Interpretive Center in Casper, Wyoming.

Hearing held on H.R. 2438, to encourage establishment of appropriate trails on abandoned railroad rights-of-way, while ensuring protection of certain reversionary property rights; and H.R. 1995, to provide for the protection of farmland at the Point Reyes National Seashore, and for other purposes. Printed Hearing 105-76

November 6, 1997Markup held on H.R. 588, to amend the National Trails System Act to create a new category of long-distance trails to be known as national discovery trails, to authorize the American Discovery Trail as the first trail in the category, and for other purposes; and H.R. 2438, to encourage establishment of appropriate trails on abandoned railroad rights-of-way, while ensuring protection of certain reversionary property rights.

February 5, 1998Hearing held on H.R. 2098, National Cave and Karst Research Institute Act of 1997; and H.R. 2989, to direct the Secretary of the Interior to convey to the St. Judes Ranch for Children, Nevada, approximately 40 acres of land in Las Vegas, Nevada, to be used for the development of facilities for the residential care and treatment of adjudicated girls. Printed Hearing 105-59

February 24, 1998Hearing held on H.R. 2223, Education Land Grant Act; H.R. 1728, National Park Service Administrative Amendment of 1997; and H.R. 2993, to provide for the collection of fees for the making of motion pictures, television productions, and sound tracks in National Park System and National Wildlife Refuge Systems units. Printed Hearing 105-71

March 12, 1998Markup held on H.R. 1522, to extend the authorization for the National Historic Preservation Fund; and H.R. 2098, National Cave and Karst Research Institute Act of 1997.

March 26, 1998Hearing held on H.R. 2538, Guadalupe-Hidalgo Treaty Land Claims Act of 1997; H.R. 2776, to amend the Act entitled "An Act to provide for the establishment of the Morristown National Historical Park in the State of New Jersey"; and H.R. 3047, to authorize expansion of Fort Davis National Historic Site in Fort Davis, Texas, by 16 acres.

April 23, 1998Hearing held on H.R. 3625, San Rafael Swell National Heritage and Conservation Act. Printed Hearing 105-85

April 28, 1998Joint hearing held with Subcommittee on Fisheries Conservation, Wildlife and Oceans, on H.R. 2800, Battle of Midway National Memorial Study Act.

Hearing held on H.R. 3220, to authorize the use of certain land in Merced County, California, for an elementary school.

May 7, 1998Markup held on H.R. 2538, Guadalupe-Hidalgo Treaty Land Claims Act of 1997; and H.R. 2625, San Rafael Swell National Heritage and Conservation Act.

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May 12, 1998Hearing held on H.R. 3109, Thomas Cole National Historic Site; and H.R. 1390, to authorize the Government of India to establish a memorial to honor Mahatma Gandhi in the District of Columbia.

May 19, 1998Hearing held on H.R. 3830, Utah Schools and Lands Exchange Act of 1998. Printed Hearing 105-89

May 21, 1998Markup held on H.R. 1042, to amend the Illinois and Michigan Canal Heritage Corridor Act of 1984 to extend the Illinois and Michigan Canal Heritage Corridor Commission; H.R. 1894, to reauthorize the Delaware Water Gap National Recreation Area Citizen Advisory Commission for ten additional years; H.R. 2233, Education Land Grant Act; H.R. 2776, to amend the Act entitled "An Act to provide for the establishment of the Morristown National Historical Park in the State of New Jersey"; H.R. 2993, to provide for the collection of fees for the making of motion pictures, television productions, and sound tracks in National Park System and National Wildlife Refuge System units; H.R. 3047, to authorize expansion of Fort Davis National Historic Site in Fort Davis, Texas, by 16 acres; and H.J. Res. 113, a joint resolution approving the location of a Martin Luther King, Jr. Memorial in the Nations Capitol.

June 9, 1998Hearing held on H.R. 3542, O&C Lands Protection Act.

June 11, 1998Markup held on H.R. 1390, to authorize the Government of India to establish a memorial to honor Mahatma Gandhi in the District of Columbia; H.R. 1728, National Park Service Administrative Amendment of 1997; H.R. 3055, to deem the activities of the Miccosukee Tribe on the Tamiami Indian Reservation to be consistent with the purposes of the Everglades National Park; H.R. 3109, Thomas Cole National Historic Site; and H.R. 3830, Utah Schools and Lands Exchange Act of 1998.

June 18, 1998Hearing held on H.R. 2970, National Historic Lighthouse Preservation Act of 1997; H.R. 3746, to authorize the addition of the Paoli Battlefield site in Malvern, Pennsylvania, to the Valley Forge National Historic Park; H.R. 3883, to revise the boundary of the Abraham Lincoln Birthplace National Historic Site to include Knob Creek Farm; and H.R. 3910, Automobile National Heritage Area Act of 1998.

June 23, 1998Hearing held on H.R. 3705, to provide for the sale of certain public lands in the Ivanpah Valley, Nevada, to the Clark County Department of Aviation. Printed Hearing 105-91.

June 23, 1998Markup held on S. 1693, to provide for improved management and increased accountability for certain National Park Service programs; H.R. 4004, to authorize the Secretary of the Interior to provide assistance to the Casa Malpais National Historic Landmark in Springerville, Arizona, and to establish the Lower East Side Tenement National Historic Site.

July 16, 1998Hearing held on H.R. 3981, to modify the boundaries of the George Washington Birthplace National Monument; and -H.R. 4109, to authorize the Gateway Visitor Center at Independence National Historical Park; H.R. 4141, to amend the Act authorizing the establishment of the Chattahoochee River National Recreation Area to modify the boundaries of the Area, and to provide for the protection of lands, waters, and natural, cultural, and scenic resources within the national recreation area; and H.R. 4158, to authorize the private ownership and use of certain secondary structures and surplus lands administered as part of any national historical park that are not consistent with the purposes for which the park was

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established, if adequate protection of natural, aesthetic, recreational, cultural, and historical values is assured by appropriate terms, covenants, conditions, or reservations. -Printed Hearing 105-95

July 28, 1998Hearing held on H.R. 2125, to authorize appropriations for the coastal Heritage Trail Route in New Jersey; H.R. 3950, Otay Mountain Wilderness Act of 1998; H.R. 3963, to establish terms and conditions under which the Secretary of the Interior shall convey leaseholds in certain properties around Canyon Ferry Reservoir, Montana; H.R. 4144, Cumberland Island Preservation Act; H.R. 4211, to establish the Tuskegee Airmen National Historic Site, in association with the Tuskegee University, in the State of Alabama; H.R. 4230, to provide for a land exchange involving the El Portal Administrative Site of the Department of the Interior in the State of California; and H.R. 4287, Grand Staircase-Escalante National Monument Boundary Adjustment Act. Printed Hearing 105-104

August 6, 1998Markup held on H.R. 576, to direct the Secretary of the Interior to undertake the necessary feasibility studies regarding the establishment of certain new units of the National Park System in the State of Hawaii; H.R. 2125, to authorize appropriations for the Coastal Heritage Trail Route in New Jersey; H.R. 2800, Battle of Midway National Memorial Study Act; H.R. 2970, National Historic Lighthouse Preservation Act; H.R. 3705, Ivanpah Valley Airport Public Lands Transfer Act; H.R. 3746, to authorize the addition of the Paoli Battlefield site in Malvern, Pennsylvania, to the Valley Forge National Historical Park; H.R. 3883, to revise the boundary of the Abraham Lincoln Birthplace National Historic Site to include Knob Creek Farm; H.R. 3910, Automobile National Heritage Area Act of 1998; H.R. 3950, Otay Mountain Wilderness Act of 1998; H.R. 3963, to establish terms and conditions under which the Secretary of the Interior shall convey leaseholds in certain properties around Canyon Ferry Reservoir, Montana; H.R. 3981, to modify the boundaries of the George Washington Birthplace National Monument; H.R. 4109, Gateway Visitor Center Authorization Act of 1998; H.R. 4141, to amend the Act authorizing the establishment of the Chattahoochee River National Recreation Area to modify the boundaries of the area, and to provide for the protection of lands, waters, and natural, cultural, and scenic resources within the national recreation area; H.R. 4144, Cumberland Island Preservation Act; H.R. 4158, National Park Enhancement and Protection Act; H.R. 4182, to establish the Little Rock Central High School National Historic Site in the State of Arkansas; H.R. 4211, to establish the Tuskegee Airmen National Historic Site, in association with the Tuskegee University, in the State of Alabama; H.R. 4230, to provide for land exchange involving the El Portal Administrative Site of the Department of the Interior in the State of California; H.R. 4287, Grand Staircase-Escalante National Monument Boundary Adjustments Act; and H.R. 4289, Wilcox Ranch Wildlife Habitat Acquisition Act.

October 6, 1998Hearing on H.R. 4119, to provide for the restoration of certain Federal land of religious and cultural significance to the Tohono Oodham Nation of Arizona, and for other purposes.

#### B. -Legislation enacted

H.J. Res. 113, a joint resolution approving the location of a Martin Luther King, Jr. Memorial in the Nations Capitol (Public Law 105-201).

H.R. 60, authorizes the Secretary of the Interior to provide assistance to the Casa Malpais National Historic Landmark in Springerville, Arizona (enacted as part of Public Law 105-378).

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H.R. 351, authorize the Secretary of the Interior to make appropriate improvements to a county road located in the Pictured Rocks National Lakeshore, and to prohibit construction of a scenic shoreline drive in that national lakeshore (enacted as part of Public Law 105-378).

H.R. 449, provides for the orderly disposal of certain Federal lands in Clark County, Nevada, and to provide for the acquisition of environmentally sensitive lands in the State of Nevada (Public Law 105-263).

H.R. 576, directs the Secretary of the Interior to undertake the necessary feasibility studies regarding the establishment of certain new units of the National Park System in the State of Hawaii (enacted as part of Public Law 105-355).

H.R. 708, to require the Secretary of the Interior to conduct a study concerning grazing use of certain land within and adjacent to Grand Teton National Park, Wyoming, and to extend temporarily certain grazing privileges (Public Law 105-81).

H.R. 765, to ensure maintenance of a herd of wild horses in Cape Lookout National Seashore (Public Law 105-229).

H.R. 822, to facilitate a land exchange involving private land within the exterior boundaries of Wenatchee National Forest in Chelan County, Washington (enacted as part of Public Law 105-83).

H.R. 960, to validate certain conveyances in the City of Tulare, Tulare County, California (Public Law 105-195).

H.R. 1042, amends the Illinois and Michigan Canal Heritage Corridor Act of 1984 to extend the Illinois and Michigan Canal Heritage Corridor Commission (enacted as part of Public Law 105-355).

H.R. 1163, amends title 10, United States Code, to transfer jurisdiction over Naval Oil Shale Reserves Numbered 1 and 3 to the Secretary of the Interior and to authorize the leasing of such reserves for oil and gas exploration and production (enacted as part of Public Law 105-85).

H.R. 1198, to direct the Secretary of the Interior to convey certain land to the City of Grants Pass, Oregon (Public Law 105-39).

H.R. 1424, to amend the Petroglyph National Monument Establishment Act of 1990 to adjust the boundary of the monument (enacted as part of Public Law 105-174).

H.R. 1635, to establish within the United States National Park Service the National Underground Railroad Network to Freedom program (Public Law 105-203).

H.R. 1894, to reauthorize the Delaware Water Gap National Recreation Area Citizen Advisory Commission for ten additional years (enacted as part of Public Law 105-355).

H.R. 1994, amend the Act entitled "An Act to provide for the establishment of the Indiana Dunes National Lakeshore, and for other purposes" to ensure an opportunity for persons who convey property for inclusion in that national lakeshore to retain a right of use and occupancy for a fixed term, and for other purposes (enacted as part of Public Law 105-277).

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H.R. 2136, to direct the Secretary of the Interior to convey, at fair market value, certain properties in Clark County, Nevada, to persons who purchased adjacent properties in good faith reliance on land surveys that were subsequently determined to be inaccurate (enacted as part of Public Law 105-83).

H.R. 2186, to authorize the Secretary of the Interior to provide assistance to the National Historic Trails Interpretive Center in Casper, Wyoming (Public Law 105-290).

H.R. 2201, establishes the Lower East Side Tenement National Historic Site, and for other purposes (enacted as part of Public Law 105-378).

H.R. 2411, provides for a land exchange involving the Cape Cod National Seashore and to extend the authority for the Cape Cod National Seashore Advisory Commission (Public Law 105-280).

H.R. 2776, amends the Act entitled "An Act to provide for the establishment of the Morristown National Historical Park in the State of New Jersey, and for other purposes" to authorize the acquisition of property known as the Warren property (enacted as part of Public Law 105-355).

H.R. 2958, reauthorizes the Delaware and Lehigh Navigation Canal National Heritage Corridor Act, and for other purposes (enacted as part of Public Law 105-355).

H.R. 3047, authorizes expansion of Fort Davis National Historic Site in Fort Davis, Texas, by 16 acres (enacted as part of Public Law 105-355).

H.R. 3055, deems the activities of the Miccosukee Tribe on the Tamiami Indian Reservation to be consistent with the purposes of the Everglades National Park, and for other purposes (Public Law 105-313).

H.R. 3220, authorizes the use of certain land in Merced County, California, for an elementary school (enacted as part of Public Law 105-355).

H.R. 3499, to authorize the Washington Interdependence Council to establish a memorial to Mr. Benjamin Banneker in the District of Columbia (enacted as part of Public Law 105-355).

H.R. 3522, amends the Act entitled "An Act to establish the Blackstone River Valley National Heritage Corridor in Massachusetts and Rhode Island" to reauthorize assistance for historic, recreational, and environmental education projects related to the Blackstone River Valley National Heritage Corridor (enacted as part of Public Law 105-355).

H.R. 3542, clarifies the Bureau of Land Managements authority to make sales and exchanges of certain Federal lands in the State of Oregon, and for other purposes (enacted as part of Public Law 105-321).

H.R. 3569, transfers administrative jurisdiction over certain parcels of public domain land in Lake County, Oregon, to facilitate management of the land, and for other purposes (enacted as part of Public Law 105-321).

H.R. 3689, transfers administrative jurisdiction over the Land Between the Lakes National Recreation Area to the Secretary of Agriculture (enacted as part of Public Law 105-277).

H.R. 3830, provides for the exchange of certain lands within the State of Utah (Public Law 105-335).



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H.R. 3883, revises the boundary of the Abraham Lincoln Birthplace National Historic Site to include Knob Creek Farm, and for other purposes (enacted as part of Public Law 105-355).

H.R. 3910, authorizes the Automobile National Heritage Area (Public Law 105-355).

H.R. 3957, renames Wolf Trap Farm Park for the Performing Arts as "Wolf Trap National Park for the Performing Arts" (enacted as part of Public Law 105-277).

H.R. 3963, establishes terms and conditions under which the Secretary of the Interior shall convey leaseholds in certain properties around Canyon Ferry Reservoir, Montana (enacted as part of Public Law 105-277).

H.R. 4004, authorizes the Secretary of the Interior to provide assistance to the Casa Malpais National Historic Landmark in Springerville, Arizona, and to establish the Lower East Side Tenement National Historic Site, and for other purposes (enacted as part of Public Law 105-378).

H.R. 4166, amends the Idaho Admission Act regarding the sale or lease of school land (Public Law 105-296).

H.R. 4211, establishes the Tuskegee Airmen National Historic Site, in association with the Tuskegee University, in the State of Alabama, and for other purposes (enacted as part of Public Law 105-355).

H.R. 4230, provides for a land exchange involving the El Portal Administrative Site of the Department of the Interior in the State of California (enacted as part of Public Law 105-363).

H.R. 4287, makes technical corrections and minor adjustments to the boundaries of the Grand Staircase-Escalante National Monument in the State of Utah (enacted as part of Public Law 105-355).

H.R. 4289, provides for the purchase by the Secretary of the Interior of the Wilcox ranch in Eastern Utah for management as wildlife habitat (enacted as part of Public Law 105-363).

H.R. 4548, makes a technical correction to the Columbia River Gorge National Scenic Area Act of 1986 (enacted as part of Public Law 105-277).

H.R. 4575, authorizes the Secretary of the Interior to acquire interests in real property for addition to the Chickamauga and Chattanooga National Military Park (enacted as part of Public Law 105-277).

H.R. 4671, redesignates the Marsh-Billings National Historical Park in the State of Vermont as the "Marsh Billings-Rockefeller National Historical Park" (enacted as part of Public Law 105-277).

H.R. 4816, authorizes the acquisition of the Valles Caldera currently managed by the Baca Land and Cattle Company, to provide for an effective land and wildlife management program for this resource within the Department of Agriculture through the private sector, and for other purposes (enacted as part of Public Law 105-277).

H.R. 4867, directs the Secretary of the Interior to convey certain public lands to the Town of Pahrump, Nevada, for use for a recreation complex (enacted as part of Public Law 105-277).

S.J. Res. 29, joint resolution to direct the Secretary of the Interior to design and construct a permanent addition to the Franklin Delano Roosevelt Memorial in Washington, D.C. (Public Law 105-29).

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S. 231, establishes the National Cave and Karst Research Institute in the State of New Mexico (Public Law 105-325).

S. 423, extends the legislative authority for the Board of Regents of Gunston Hall to establish a memorial to honor George Mason (Public Law 105-182).

S. 430, amends the Act of June 20, 1910, to protect the permanent trust funds of the State of New Mexico from erosion due to inflation and modify the basis on which distributions are made from those funds (Public Law 105-37).

S. 669, provides for the acquisition of the Plains Railroad Depot at the Jimmy Carter National Historic Site (Public Law 105-106).

S. 731, extends the legislative authority for construction of the National Peace Garden Memorial (Public Law 105-202).

S. 1175, to reauthorize the Delaware Water Gap National Recreation Area Citizen Advisory Commission for ten additional years (enacted as part of Public Law 105-355).

S. 1333, amends the Land and Water Conservation Fund Act of 1965 to allow national park units that cannot charge an entrance or admission fee to retain other fees and charges (Public Law 105-327).

S. 1132, modifies the boundaries of the Bandelier National Monument to include the lands within the headwaters of the Upper Alamo Watershed which drain into the Monument and which are not currently within the jurisdiction of a Federal land management agency, to authorize purchase or donation of those lands, and for other purposes (Public Law 105-376).

S. 1408, establishes the Lower East Side Tenement National Historic Site (Public Law 105-378).

S. 1665, reauthorizes the Delaware and Lehigh Navigation Canal National Heritage Corridor Act, and for other purposes (enacted as part of Public Law 105-355).

S. 1693, provides for improved management and increased accountability for certain National Park Service programs (Public Law 105-391).

S. 1695, authorizes the Secretary of the Interior to study the suitability and feasibility of designating the Sand Creek Massacre National Historic Site in the State of Colorado as a unit of the National Park System (Public Law 105-243).

S. 1718, amends the Weir Farm National Historic Site Establishment Act of 1990 to authorize the acquisition of additional acreage for the historic site to permit the development of visitor and administrative facilities and to authorize the appropriation of additional amounts for the acquisition of real and personal property (Public Law 105-363).

S. 1807, transfers administrative jurisdiction over certain parcels of public domain land in Lake County, Oregon, to facilitate management of the land, and for other purposes (enacted as part of Public Law 105-321).

S. 1990, authorizes expansion of Fort Davis National Historic Site in Fort Davis, Texas, by 16 acres (enacted as part of Public Law 105-355).

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S. 2068, revises the boundaries of the George Washington Birthplace National Monument (enacted as Public Law 105-355).

S. 2129, eliminates restrictions on the acquisition of certain land contiguous to Hawaii Volcanoes National Park (Public Law 105-380).

S. 2232, establishes the Little Rock Central High School National Historic Site in the State of Arkansas (Public Law 105-356).

S. 2240, establishes the Adams National Historical Park in the Commonwealth of Massachusetts, and for other purposes (Public Law 105-342).

S. 2241, provides for the acquisition of lands formerly occupied by the Franklin D. Roosevelt family at Hyde Park, New York, and for other purposes (Public Law 105-364).

S. 2246, amends the Act which established the Frederick Law Olmsted National Historic Site, in the Commonwealth of Massachusetts, by modifying the boundary and for other purposes (Public Law 105-343).

S. 2272, amends the boundaries of Grant-Kohrs Ranch National Historic Site in the State of Montana (Public Law 105-365).

S. 2285, establish a commission, in honor of the 150th Anniversary of the Seneca Falls Convention, to further protect sites of importance in the historic efforts to secure equal rights for women (Public Law 105-341).

S. 2427, amends the Omnibus Parks and Public Lands Management Act of 1996 to extend the legislative authority for the Black Patriots Foundation to establish a commemorative work (Public Law 105-345).

S. 2468, designates the Biscayne National Park Visitor Center as the Dante Fascell Visitor Center (Public Law 105-307).

S. 2513, transfers administrative jurisdiction over certain Federal land located within or adjacent to Rogue River National Forest and to clarify the authority of the Bureau of Land Management to sell and exchange other Federal land in Oregon (enacted as part of Public Law 105-321).

C. -Legislation passed House

H. Res. 144, a resolution to express support for the bicentennial of the Lewis and Clark Expedition.

H.R. 951 (H. Rept. 105-170), to require the Secretary of the Interior to exchange certain lands located in Hinsdale, Colorado. (See S. 587 for further action)

H.R. 1127 (H. Rept. 105-191), to amend the Antiquities Act to require an Act of Congress and the concurrence of the Governor and State legislature for the establishment by the President of national monuments in excess of 5,000 acres.

H.R. 1270 (H. Rept. 105-290, Part II), to amend the Nuclear Waste Policy Act of 1982.

H.R. 1522 (H. Rept. 105-484), to extend the authorization for the National Historic Preservation Fund.

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H.R. 1728 (H. Rept. 105-612), to provide for the development of a plan and a management review of the National Park System and to reform the process by which areas are considered for addition to the National Park System.

H.R. 2283 (H. Rept. 105-386), to expand the boundaries of Arches National Park in the State of Utah to include portions of the following drainages, Salt Wash, Lost Spring Canyon, Fish Sheep Draw, Clover Canyon, Cordova Canyon, Mine Draw, and Cottonwood Wash, which are currently under the jurisdiction of the Bureau of Land Management, and to include a portion of Fish Sheep Draw, which is currently owned by the State of Utah. (See S. 2106 for further action)

H.R. 2538 (H. Rept. 105-594), to establish a Presidential commission to determine the validity of certain land claims arising out of the Treaty of Guadalupe-Hidalgo of 1848 involving the descendants of persons who were Mexican citizens at the time of the Treaty.

H.R. 2993 (H. Rept. 105-678), to provide for the collection of fees for the making of motion pictures, television productions, and sound tracks in National Park System and National Wildlife Refuge System units, and for other purposes.

H.R. 3109 (H. Rept. 105-695), to establish the Thomas Cole National Historic Site in the State of New York.

H.R. 3520, adjusts the boundaries of the Lake Chelan National Recreation Area and the adjacent Wenatchee National Forest in the State of Washington. (See S. 1683 for further action)

H.R. 4735, to make technical corrections to the Omnibus Parks and Public Lands Management Act of 1996.

H.R. 4829, to authorize the Secretary of the Interior to transfer administrative jurisdiction over land within the boundaries of the Home of Franklin D. Roosevelt National Historic Site to the Archivist of the United States for the construction of a visitor center.D. Legislation ordered reported by the full committee

H.R. 136 (H. Rept. 105-328) to amend the National Parks and Recreation Act of 1978 to designate the Marjory Stoneman Douglas Wilderness and to amend the Everglades National Park Protection and Expansion Act of 1989 to designate the Ernest F. Coe Visitor Center. (See S. 931 for further action)

H.R. 755 (H. Rept. 105-482, Part I) to amend the Internal Revenue Code of 1986 to allow individuals to designate any portion of their income tax overpayments, and to make other contributions, for the benefit of units of the National Park System.

H.R. 1110 (H. Rept. 105-691) to designate a portion of the Sudbury, Assabet, and Concord Rivers as a component of the National Wild and Scenic Rivers System. (See S. 469 for further action)

H.R. 1567 (H. Rept. 105-814) to provide for the designation of additional wilderness lands in the eastern United States.

H.R. 1608 (H. Rept. 105-753) to authorize the Pyramid of Remembrance Foundation to establish a memorial in the District of Columbia or its environs to soldiers who have died in foreign conflicts other than declared wars.

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H.R. 1849 (H. Rept. 105-316) to establish the Oklahoma City National Memorial as a unit of the National Park System, to designate the Oklahoma City Memorial Trust. (See S. 871 for further action)

H.R. 2223 (H. Rept. 105-693) to amend the Act popularly known as the Recreation and Public Purposes Act to authorize transfers of certain public lands or national forest lands to local education agencies for use for elementary or secondary schools, including public charter schools, and for other purposes.

H.R. 3625 (H. Rept. 105-685) to establish the San Rafael Swell National Heritage Area and the San Rafael Swell National Conservation Area in the State of Utah. E. Legislation marked up at subcommittee

H.R. 588, to amend the National Historic Trails System Act to create a new category of long-distance trails to be known as national discovery trails, to authorize the American Discovery Trail as the first trail in that category.

H.R. 1390, to authorize the Government of India to establish a memorial to honor Mahatma Gandhi in the District of Columbia. (See H.R. 4284 for further action)

H.R. 1714, to provide for the acquisition of the Plains Railroad Depot at the Jimmy Carter National Historic Site. (See S. 669 for further action)

H.R. 2098, to establish the National Cave and Karst Research Institute in the State of New Mexico, and for other purposes. (See S. 231 for further action)

H.R. 2125, to authorize appropriations for the Coastal Heritage Trail Route in New Jersey, and for other purposes.

H.R. 2800, to provide for a study of the establishment of Midway Atoll as a national memorial to the Battle of Midway, and for other purposes.

H.R. 2970, to amend the National Historic Preservation Act for purposes of establishing a national historic lighthouse preservation program.

H.R. 3705, to provide for the sale of certain public lands in the Ivanpah Valley, Nevada, to the Clark County Department of Aviation.

H.R. 3746, to authorize the addition of the Paoli Battlefield site in Malvern, Pennsylvania, to the Valley Forge National Historical Park, and for other purposes.

H.R. 3950, to designate a portion of the Otay Mountain region of California as wilderness.

H.R. 3981, to modify the boundaries of the George Washington Birthplace National Monument, and for other purposes.

H.R. 4109, to authorize the Gateway Visitor Center at Independence National Historical Park, and for other purposes.

H.R. 4141, to amend the Act authorizing the establishment of the Chattahoochee River National Recreation Area to modify the boundaries of the Area, and to provide for the protection of lands, waters, and natural, cultural, and scenic resources within the national recreation area, and for other purposes. (See S. 469 for further action)

H.R. 4144, Cumberland Island Preservation Act.

H.R. 4158, to authorize the private ownership and use of certain secondary structures and surplus lands administered as part of any national historical park that are not consistent with the purposes for which the park was established, if adequate protection of natural, aesthetic, recreational, cultural, and historical values is assured by appropriate terms, covenants, conditions, or reservations.

H.R. 4182, to establish the Little Rock Central High School National Historic Site in the State of Arkansas, and for other purposes. (See S. 2232 for further action)

#### IV. Oversight Activities of the Subcommittee on National Parks and Public Lands

Another major function of the Subcommittee deals with oversight activities of the issues and agencies under its jurisdiction. The Subcommittee takes its oversight responsibility seriously and aggressively pursues oversight hearings on a wide variety of important issues. During the 105th Congress the Subcommittee focused oversight activities on the two main Federal agencies within its jurisdiction the National Park Service and the Bureau of Land Management and held 17 oversight hearings. Although steadfast in its pursuit of identifying and highlighting important problems and possible abuses by these agencies, the Subcommittee, nonetheless, is also committed to finding solutions to any of the identified problems. The goal, of course, is to provide for better management of the Nations Federal lands and national treasures so that the American public can benefit from and enjoy these resources. In its continuing efforts to reach this goal, the Subcommittee investigated, through oversight activities, mismanagement of public lands and national parks, wasted expenditures, over-burdensome and outdated Federal regulations, public access issues, health of the natural resources, and alternative or modified management policies. National Park Service

Financial Management in the National Park Service: this issue is a high priority oversight issue for the Subcommittee during the 105th Congress. It is clear that the National Park Services (NPS) budget has increased far in excess of inflation in recent years (52 percent above inflation from 1980-1995), the number of park personnel has increased (22 percent in the last decade), and visitation has remained flat. At the same time, it is also clear that visitor services are being curtailed, and that key park resources are at risk or deteriorating. What is not clear is why the increased funding and personnel provided have not successfully addressed these critical park problems.

There are repeated stories in the media about shortfalls in park funding. Recently, the Superintendent of Yellowstone National Park reported that despite a budget increase in excess of the amount requested by the President, the park was considering curtailing visitor services.

Congress has attempted to address this concern by authorizing NPS to keep increased fees and has examined other programs to raise funds for the agency. However, it is clear that these additional sources of funds will only provide limited funding increases. Therefore, it is critical that the agency direct its current funding to the highest priority needs. The General Accounting Office (GAO) and Department of the Interior Inspector General have both testified that the NPS has no process in place to ensure that its funds are allocated to the highest priority needs.

Similarly, the NPS has no accurate idea of how large its shortfall is, and therefore has no plan in place to address the shortfall. For example, in 1993 when GAO visited 16 park areas to review their reported

shortfalls in funding for housing, not a single park could justify the numbers submitted to the Washington office.

In fact, NPS did not even have an accurate financial control system in place and had failed to balance its books for three years, until this fact was exposed through Subcommittee oversight hearings two years ago. The agency has worked hard to address this problem over the last year.

The Subcommittee intends to again hold joint hearings early in the year to examine the results of ongoing work by the GAO about the NPS budget and priority-setting process. The Subcommittee will also hold oversight hearings this Summer on another GAO report analyzing and comparing the effectiveness of State management of parks versus Federal management of parks.

The Subcommittee is also considering holding oversight hearings on the implementation of the Government Performance and Review System by NPS later this year. It is possible that this new budget allocation system could assist the agency in developing a priority setting system which could address some of these concerns.

The Subcommittee held a hearing on the Recreational Fee Demonstration Program. The Program was initially authorized in the Omnibus Consolidated Rescissions Act of 1996 and amended to keep the program going in subsequent legislation. Several Federal agencies are authorized to collect a variety of entrance and user fees to be used for recovery of operation and maintenance costs and to address the backlog of repair and maintenance of infrastructure. This oversight provided the Subcommittee with the necessary information to consider legislation that would provide permanent authorization for the Fee Demonstration Program.

The Subcommittee also participated in the Full Committee hearing on the implementation of the Government Performance and Review System.

National Park Service Natural Resource Management Policy and Science Program: The NPS has never had a very strong research program. No less than 12 major reports since 1963 have called for the development of a stronger research program within the agency. The most recent major report, completed at the request of Congress in 1992 by the National Research Council, found the science program in need of substantial revision. Yet, two years after the release of that report, the NPS science program was abolished and relocated to the U.S. Geological Survey to "catalogue everything which flies, crawls, walks or swims." There are no biological scientists doing research for the agency today.

The effects of the elimination of the research program may place park resources at risk. In successive reports in recent years, the GAO has reported that the NPS has inadequate data on the condition of resources entrusted to its management. More than one-third of threats to park resources have yet to be scientifically evaluated. The lack of sound science within the agency may lead directly to policies which threaten the resources which the agency is charged to protect. Last September, U.S. News and World Report published an article which outlined how the NPS "natural regulation" policy is threatening to destroy Yellowstone National Park resources.

This lack of a sound science program and basic data on park resources is of greater concern because Congress is already allocating over \$210 million per year to the agency for resource stewardship. In light of the amount of funding already allocated for this function and large increases to the NPS generally, it is unclear why the science and resource management program is so deficient.

The Subcommittee held an oversight hearing regarding how science is integrated into NPS decisions. To date, the NPS has little scientific information about either the current condition of park resources, or trends in the condition of park resources. As a result, the agency is unable to adequately formulate strategies to address threats to park resources. This oversight hearing explored better ways to integrate science back into NPS decisions and also how to hold the park superintendents accountable for the condition of the resources in the park unit that they manage.

**State Land and Water Conservation Fund Renewal:**In the last two years, Federal funding for the State Land and Water Conservation Fund program has been eliminated, in favor of dedicating all funds to Federal land acquisition. At a time when the Federal government already owns 30 percent of the land, and cannot adequately manage the lands under its jurisdiction, continued expansion of the Federal estate is difficult to justify. In fact, three years ago, the Interior Inspector General recommended that the U.S. Fish and Wildlife Service discontinue all land acquisition until they could properly care for the lands already under their jurisdiction. Further, the need for public outdoor recreation space is greatest in urban and suburban areas of this country. For these reasons, continued exclusive focus on Federal land acquisition cannot be justified.

Current law specifies that no less than 50 percent of the funds allocated from the Land and Water Conservation Fund Act must be spent on Federal land acquisition; however, there is no cap on the amount which can be spent on Federal land acquisition. During the Bush Administration, the Administration sought, and Congress provided, annual allocation of about \$25 million for the State Land and Water Conservation program. For the last two years, the Clinton Administration has recommended no funding. There has been a continuing record of bipartisan support for this program from the Resources Committee. The Subcommittee intends to hold hearings on where the greatest need for outdoor recreation opportunities are, and whether the existing funding allocation is targeted toward meeting that need.

An oversight hearing was held which focused on the disparity between the "state side" of the Land and Water Conservation Fund and the "Federal side."

**Land Exchange Promises:**In the last four years, the Administration has announced a number of major land exchange "agreements." The total cost of these proposals is in the staggering hundreds of millions of dollars. These major exchange proposals include: the California Desert Protection Act (estimated cost: over \$100 million); the Crown Butte Mine in Montana (estimated cost: \$65 million); the Pacific northwest timber buy out (estimated cost: several hundred million dollars); and Headwaters Forest (estimated cost: \$380 million dollars). Although each of these "deals" have been announced with great fanfare, none of them appear to be close to closure. Further, in every case, the government entered into these agreements with no idea of where the lands for these exchanges would come from.

The Subcommittee will work with the Subcommittee on Forests and Forest Health to examine the status of these agreements, and the prospects that they will be implemented in the near future.

The Subcommittee did not hold hearings on this issue, but continued to monitor the status of the land exchanges.

**National Trail System Program:**There are now over 35,000 miles of federally-designated trails in the country. National trails have proven to be popular designations, generally with little political opposition. However, there has been little consideration given to the long-term consequences of these designations.



For example, the Federal government is now spending about \$2 million per mile to acquire the viewshed along the Appalachian Trail. Further, while most of these trails are presented largely as volunteer efforts, there is increasing support within the trail-user community for these trails to be designated as units of the park system, and to receive an annual appropriation. Currently, there is a proposal to add a new category to the national trail system, and designate the 6,000 mile American Discovery Trail. It is important to examine and understand the long term consequences of the current program, before expanding the scope of the national trail system.

The Subcommittee did not hold hearings on this issue, but plans to continue to examine the National Trail System Program in the 106th Congress.

**Efficiency of Federal Land Management:**The Subcommittee will continue its work into analyzing the efficiency of Federal land management, with a particular interest in examining whether Federal lands could be more efficiently managed. Following on with a hearing held last Congress comparing the efficiency of Federal versus State management of lands, this Congress the Subcommittee expects the release of a major GAO report which will compare management of park, forest and multiple use lands between the State and Federal governments. In addition, in another joint House-Senate effort, GAO is examining the magnitude of overlap and duplication between the various Federal agencies. Both of these efforts are designed to identify cost savings which could be implemented in Federal land management.

An oversight hearing was held to examine the different management strategies and policies of state parks and how these may be integrated into the National Park System. Additional National Park Service Oversight Hearings Held

**Yosemite National Park:**The Subcommittee held a field oversight hearing in El Portal, California and focused on the National Park Service plans for the restoration of Yosemite National Park. The Park suffered major damage during floods which occurred in winter of 1996 and 1997.

**Wilderness Act Implementation:**In April the Subcommittee held a joint oversight hearing with the Subcommittee on Forests and Forest Health which concentrated on the Wilderness Act of 1964. The Wilderness Act has caused numerous access problems for the public and is one of the most misunderstood Federal laws dealing with our natural resources. This oversight hearing explored many of the problems associated with wilderness designations.

**Proposal to Drain Lake Powell, Arizona and Utah:**In November of 1996, the Sierra Club Board of Directors passed a resolution to support a proposal to drain Lake Powell on the border of Arizona and Utah. Since the Glen Canyon dam was built, Lake Powell has become a major attraction for recreational use. The Sierra Club far reaching proposal became a major environmental issue for recreationists, water users, and environmentalists who support the Sierra Club. This oversight hearing focused on the Sierra Clubs proposal to drain the lake and somehow restore Glen Canyon while eliminating recreational use of the lake.

**Miccosukee Tribe and Everglades National Park:**Since 1962, the Miccosukee Tribe has held a special use permit from the National Park Service at the northern edge of Everglades National Park. The permit provides an area of approximately 333 acres for the Tribe to provide administrative, educational facilities, and places to live and sell handicrafts. This oversight hearing examined many of the problems between

the Park Service and the Tribe in regard to the special use permit and explored possible solutions to the ongoing problems.

**National Park Service Air Tour Overflights:**Conflicts between air tour operators conducting overflights over national parks, the National Park Service and environmental groups have been ongoing for many years. Although there was a lack of evidence, the Park Service determined that the overflights were causing significant impacts to the natural quiet of parks. This oversight hearing focused on the continuing problems in the definition of natural quiet, the alleged impacts of air tours on park resources, along with pending legislation dealing with air tour overflights.

**National Park Concession Reform:**Since enactment of the Concessions Policy Act of 1965, the National Park Service and various concessioners have experienced problems. Some of the problems include fair monetary returns to the government, possessory interest, and rights of contract renewal. This oversight hearing focused on these major issues and on future legislation that could be developed to address these problems.

**Going-to-the-Sun Road in Glacier National Park:**Glacier National Park contains 137 miles of paved and unpaved roads that are critical to serve park visitors. The Going-to-the-Sun, completed in 1936, is one of the most important of these roads. Although use has increased from 40 thousand to 660 thousand vehicles over the years, there has been no program of sustainable repair or rehabilitation. Because of this, it will take millions of dollars to bring the road up to standards. This oversight hearing examined the problems and importance of the Going-to-the-Sun Road and how to solve them.

**Grand Canyon National Park Wilderness Plan and Data Use for Overflights:**This oversight hearing focused on two very important issues in the Grand Canyon National Park. The Grand Canyon has recently proposed that 94 percent of the park be designated as wilderness per the Wilderness Act of 1964. This invariably will cause public access problems to the park. In addition, the Colorado River and its recreational use by thousands of visitors would be severely impacted by wilderness designation. The other unresolved issue with the Grand Canyon National Park regards air tour overflights and how the Park Service determined the noise impacts on natural quiet. It is apparent the Park Service manipulated the data in using models that showed that air tour aircraft were having impacts on park resources. This part of the oversight hearing focused on both on the data the Park Service used for the models and also the results of these models.**Bureau of Land Management**

**Grand Staircase Escalante National Monument:**On September 18, 1996, in the midst of his re-election campaign, President Bill Clinton utilized the 1906 Antiquities Act to create a 1.7 million-acre national monument in Southern Utah.

The creation of the monument was made by the President under powers given to him under the Antiquities Act of 1906. A national monument is the designation given to a particular area to protect "objects of historic or scientific interest that are situated upon the lands owned or controlled by the government of the United States." The 1906 Antiquities Act has been used by previous Presidents to create some of the Nations crown jewel preserves, but that was before modern Federal land-use laws were enacted to give Congress and the public a voice in how the lands would be managed.

The decision to create the monument was done without Congressional oversight and input. Even the Federal land managers, who are responsible for managing the lands for future generations, were shut out

of the process of developing the monument allegedly in order to accommodate the wishes of the Clinton/Gore 6 campaign.

The monument was created in an attempt to erase the possibility of mining 62 billion tons of the cleanest, most environmentally beneficial coal in the U.S. At least 16 billion tons of recoverable coal exists within the boundaries of the monument and could be extracted using underground mining techniques. The loss of revenue created by this action will cost the State of Utah an estimated \$9.25 billion in lost mineral revenues.

Additionally, the monument imposes an obstacle to the possibility of generating an estimated \$2 billion for schoolchildren in Utah. President Clinton during his remarks at the Grand Canyon establishing the monument proclaimed: "I know the children of Utah have a big stake in school lands located within the boundaries of the monument that I am designating today . . . I will say again, creating this national monument should not and will not come at the expense of Utahs children." Seeing that the Presidents promise is kept is an issue of central concern to all, and upmost on the priority list of Utahs Congressional Delegation and Governor, Mike Leavitt.

This national monument is the first in history for which management responsibility has been given to the BLM. The proclamation establishing the monument states that the monument is to be managed pursuant to applicable law, which includes but is not limited to the Federal Land Policy and Management Act (FLPMA). The proclamation withdraws Federal lands within the monument for entry, location, selection, sale, leasing or other disposition. It mandates respect for valid existing rights, recognizes the State of Utahs responsibility and authority for fish and wildlife, maintains current grazing permits, and continues existing reservations.

The management plan for the monument is to be prepared over the next three years. Because of the way the monument was created and lack of specific information regarding the Proclamations directives, many questions remain unanswered. The Subcommittee will hold oversight hearings on the establishment of the monument early in the 105th Congress. The hearings will be used to obtain further information concerning the monument.

An additional issue that may be addressed as part of the hearings on the monument is the 1906 Antiquities Act. Shortly after the establishment of the monument, legislation was introduced in both the House and Senate in the 104th Congress to limit the powers of the President to designate national monuments under the Antiquities Act. It is expected that this issue will be addressed either as part of the hearing on the monument or separately.

An oversight hearing was held which focused on how the Clinton administration abused the 1906 Antiquities Act amid accusations that it was for political gain. On September 18th 1996, President Clinton stood on the south rim of the Grand Canyon, pointed toward Utah and created, by Presidential proclamation, the Grand Staircase Escalante National Monument. He did this without consulting or even notifying anyone from Utah. White House E-Mail and documents show that Clinton created the monument to sway votes in California, Nevada, New Mexico and Arizona. This oversight hearing examined how the Administration abused and engineered the process in the designation of this monument.

H.R. 1127, the National Monument Fairness Act, was introduced by Subcommittee Chairman Jim Hansen (R-UT). The legislation sought to amend the Antiquities Act to prohibit the President from issuing a

proclamation designating more than 50,000 acres in a single State in a single calendar year as a national monument until 30 days after the President has transmitted the proposed proclamation to the Governor of the affected State. The bill further provides that the proclamation shall cease to be effective two years after it is issued unless the Congress has approved it by joint resolution. The bill was reported from Committee and passed the Full House of Representatives.

**Bureau of Land Management Law Enforcement Regulations:**On November 7, 1996, BLM published in the Federal Register a proposed rule to revise and consolidate many of BLMs existing criminal law enforcement regulations. The rule according to BLM was designed to help the public understand and locate the regulatory provisions detailing the activities that are prohibited on BLM lands. Prior to this action, these provisions were contained in nearly a dozen separate parts dealing with recreation, cultural resources, minerals, etc.

Due to the timing and content of the regulations, many members of the public reacted negatively to the proposed regulations. In response to the controversy, the comment period was extended to February 5, 1997.

Additionally, the BLM briefed Congressional staff in December 1996 to answer questions regarding the proposed regulations. At the meeting, the BLM promised to supply information to Congress regarding the legislative authority to promulgate the new regulations.

On January 17, 1997, a second notice appeared in the Federal Register further extending the comment period to March 7, 1997.

Due to the controversial nature of the regulations and the many questions that remain unanswered, the Subcommittee intends to conduct oversight hearings on the BLMs law enforcement regulations.

An oversight hearing was held to focus on some of the problems associated with having an independent BLM law enforcement force. Some abuses were illustrated. The hearing also showed how there are often clashes between the BLM and local law enforcement agencies. Ways to improve BLM law enforcement were debated.

**Effect of Public Land Policies on Rural Communities:**How the public lands affect rural communities is a key to nearly every public lands issue from grazing to timber harvesting. Environmental groups have suggested that the public lands can benefit rural economies by increasing tourism. Some have suggested that tourism and recreation provide the "new" paradigm for rural development.

With regards to the Grand Staircase-Escalante National Monument, what will be the effect of transferring from a resource-to a tourism-based economy deserves attention. Several studies including work done by the Political Economy Research Center have shown some of the effects. Although we can speculate that tourism can be a viable growth industry in rural areas, confirming the full impact of public lands policies should be explored.

Studies are currently being conducted by academia into the effects of public land policies on rural economies. The Subcommittee is considering holding an oversight hearing to investigate the facts surrounding what the effects of changing public lands policies are on rural economies.

Hearings were not held on this issue by the Subcommittee.

**Access to Public Lands:** Responding to a request made in 1992, GAO conducted a review of the adequacy of public access to land managed by the Department of Agriculture's Forest Service and the Department of the Interior's BLM. Specifically, GAO was asked to look at the extent and effects of, as well as the reasons for, inadequate public access and the methods used by the Forest Service and BLM to resolve access problems.

The public continues to be frustrated by inadequate access to the public lands. Because the agencies do not maintain information at a central location on access problems, facts and conclusions regarding the question of access have been difficult to surmise.

Many complain that one of the reasons for inadequate public access to Forest Service and BLM lands has to do with private landowners' unwillingness to grant public access across their land. Factors contributing to inadequate access across private lands deal with concerns of landowners about vandalism and potential liability, and landowners' desire for privacy and exclusive personal use. The other main complaint heard is that the Forest Service and BLM, due to cost reduction and other reasons, have prevented access to the public lands.

The Subcommittee intends to conduct oversight hearings on access to public lands. Many questions regarding access to public lands need to be answered before a solution can be properly fashioned.

The Subcommittee did not hold hearings on access to Public Lands.

**Current Status of Implementation of Rangeland Reform:** On August 9, 1993, Secretary of the Interior Bruce Babbitt announced "Rangeland Reform 4." "Rangeland Reform 4" included proposed rangeland rules, including a proposal to more than double the grazing fee over three years and to substantially modify Federal rangeland policy. The new rules proved extremely controversial producing several revisions. The rules were published in February 1995. Final rules went into effect August 21, 1995, but did not contain an increase in the grazing fee.

In an attempt to fight implementation of "Rangeland Reform 4," an industry-led lawsuit was filed in the Wyoming 10th district court. On June 12, 1996, the Wyoming Federal District court ruled that Secretary Babbitt had violated the law with regard to four aspects of the regulations.

The four areas of the regulations held invalid were: (1) the elimination of statutory grazing preference rights and replacement of those rights with the term "permitted use;" (2) the regulations providing that the U.S. shall have full title to all future range improvements; (3) the regulations providing for conservation use permits; and (4) the regulations reducing the mandatory qualifications for a grazing permit.

The Federal government filed an appeal to the case in August of 1996 and filed their appellate brief on November 15, 1996. Arguments on the appeal are expected to take place in 1997 with a decision around the Fall of 1998.

The implementation of "Rangeland Reform 4" continues to move forward with many of the State Resource Advisory Councils formed and advancing with their work. Concerns continue to be raised about the sweeping nature of the new Interior Department grazing management regulations. In light of the facts brought out by the 10th District decision and the controversial nature of the policy, the Subcommittee intends to conduct oversight of implementation of "Rangeland Reform 4" and to pursue necessary legislative solutions.

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An oversight hearing was held which focused on some of the issues involved with grazing reductions.

The Subcommittee also worked with the Agriculture Committee on H.R. 2493, to establish a mechanism by which the Secretary of Agriculture and the Secretary of the Interior can provide for uniform management of livestock grazing on Federal lands. H.R. 2493 was favorably reported from Committee and passed the House of Representatives. Additional Bureau of Land Management oversight hearings held

Oversight Hearing on BLM land exchanges and realty appraisals: The "checkerboard" pattern of land ownership in the west makes Federal lands difficult to manage, and causes numerous problems for state and private landowners. Land exchanges are the preferred method for blocking-up the public lands into manageable tracts, but unfortunately, even minor land exchanges are taking years to complete. One of the biggest problems is land appraisals. The landowner knows his land is much more valuable than the appraisals say it is, and the BLM refuses to accept public interest value as a legitimate criteria on which to base an appraisal. Often, neither side will budge. No one benefits from this deadlock. An oversight hearing was held to focus on problems with appraisals, and on ways to improve land exchanges.

Wild Horse and Burro Field Hearing (Reno, Nevada): An oversight hearing was held to focus on range issues and problems with the Wild Horse and Burro Act and its implementation. The BLM faces numerous challenges as it tries to manage feral horses and burros on the public lands. These include: overpopulation, disease, habitat destruction, degradation of riparian areas, competition with other domesticated animals on the range such as sheep and cattle, and competition with wildlife. This hearing provided an opportunity for environmentalists, state and local government officials, and concerned citizens to present ideas on how to improve management of feral horses and burros while protecting our public lands.

B. Hearings  
February 27, 1997 Oversight hearing held on Research and Resource Management in the National Park Service. Printed Hearing 105-3

March 11, 1997 Oversight hearing held on Federal funding of the State Land and Water Conservation Act Programs. Printed Hearing 105-2

March 22, 1997 Oversight field hearing held in El Portal, California, on the National Park Service plans for restoration of Yosemite National Park following this winters flood. Printed Hearing 105-11

April 15, 1997 Joint oversight hearing with Subcommittee on Forests and Forest Health, on implementation of the 1964 Wilderness Act on BLM and Forest Service lands. Printed Hearing 105-13

April 29, 1997 Oversight hearing held on Grand Staircase-Escalante National Monument: From Designation to Management. Printed Hearing 105-20

May 15, 1997 Oversight hearing on Bureau of Land Management Law Enforcement Authorities.

July 10, 1997 Oversight hearing held on Federal versus State management of parks. Printed Hearing 105-43

September 23, 1997 Joint oversight hearing with Subcommittee on Water and Power on the proposal to drain Lake Powell or reduce its water storage capability. Printed Hearing 105-56

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September 25, 1997Oversight hearing held on Everglades National Park and the Miccosukee Tribe of Indians in Florida. Printed Hearing 105-65

September 30, 1997Oversight hearing held on grazing reductions and other issues on Bureau of Land Management lands. Printed Hearing 105-52

November 17, 1997Joint oversight field hearing in St. George, Utah, with the Subcommittee on Aviation of the Committee on Transportation and Infrastructure, on National Park Service Overflight Policy. Printed Hearing 105-67

February 26, 1998Oversight hearing held on Fee Demonstration Programs: Successes and Failures. Printed Hearing 105-73

March 12, 1998Oversight hearing held on Concession Reform

March 24, 1998Oversight hearing held on Realty Appraisal Process on BLM Land Exchange. Printed Hearing 105-86

July 13, 1998Oversight field hearing in Reno, Nevada, on Wild Horse and Burro Act. Printed Hearing 105-105

September 21, 1998Oversight field hearing held in Kalispell, Montana, on future maintenance and repair of the Going-to-the Sun Road in Glacier National Park. Printed Hearing 105-115

September 24, 1998Oversight hearing held on Grand Canyon National Park. Printed Hearing 105-109.

#### v. subcommittee statistics

Total number of bills and resolutions referred 266

Total number of bills reported from Subcommittee 58

Total number of bills reported from Full Committee 40

Total number of bills passed by the House 48

Total number of bills enacted into law 73

#### Public Hearings and Markups:

Legislative 26

Oversight 17

Markup sessions 13

Total number of subcommittee meetings (days) 52

Subcommittee on Fisheries Conservation, Wildlife and Oceans

#### i. introduction

After a highly successful initial two years, the Subcommittee on Fisheries Conservation, Wildlife and Oceans worked hard to build upon its successful accomplishments for the American people. By any objective standard, the Subcommittees performance during the 105th Congress was superb.

Drawing on its bi-coastal membership, the Subcommittee, under the leadership of Chairman Jim Saxton of Mt. Holly, New Jersey, conducted 21 legislative and 22 oversight hearings on topics ranging from corals reefs on the bottom of the oceans to the top of the world in the Arctic.

During this Congress, the Subcommittee was instrumental in enacting legislation to implement an international treaty to protect dolphins; to conserve highly endangered Asian elephants; to establish a nationwide refuge volunteer coordination program; to improve the collection and use of hydrographic data; to prohibit the importation of products containing parts of endangered rhinoceros and tigers; to protect coral reef ecosystems throughout the world and to reform Federal protections for migratory birds by prohibiting baited fields, while ensuring that sportsmen are treated fairly. Furthermore, the Subcommittee took a leadership role in promoting the passage of the National Wildlife Refuge System Improvement Act of 1997. This historic law sponsored by Chairman Don Young established for the first time an organic statute for our nations 94 million acre, 514 unit National Wildlife Refuge System.

Finally, the Subcommittee was responsible for moving a number of bills to extend valuable fish, wildlife and ocean resource programs. These included reauthorization of: the African Elephant Act of 1988, the Atlantic Striped Bass Conservation Act of 1984, the Atlantic Tunas Convention of 1975, the National Sea Grant College Program Act of 1967, the North American Wetlands Conservation Act of 1989, the Rhinoceros and Tiger Conservation Act of 1994 and the Sikes Act of 1960.

## ii. jurisdiction

(1) Fisheries management and fisheries research generally, including the management of all commercial and recreational fisheries, the Magnuson-Stevens Fishery Conservation and Management Act, interjurisdictional fisheries, international fisheries agreements, aquaculture, seafood safety and fisheries promotion.

(2) Wildlife resources, including research, restoration, refuges and conservation.

(3) All matters pertaining to the protection of coastal and marine environments, including estuarine protection.

(4) Coastal barriers.

(5) Oceanography.

(6) Ocean engineering, including materials, technology and systems.

(7) Coastal zone management.

(8) Marine sanctuaries.

(9) U.N. Convention on the Law of the Sea.

(10) Sea Grant programs and marine extension services.



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(11) General and continuing oversight and investigative authority over activities, policies and programs within the jurisdiction of the Subcommittee.

iii. legislative activitiesA. Legislative hearings and markups

February 27, 1997Hearing held on H.R. 437, to reauthorize the National Sea Grant College Program Act.

March 6, 1997Hearing held on H.R. 511, to amend the National Wildlife Refuge System Administration Act of 1966 to improve the management of the National Wildlife Refuge System; and H.R. 512, to prohibit the expenditure of funds from the Land and Water Conservation Fund for the creation of new National Wildlife Refuges without specific authorization from Congress pursuant to a recommendation from the United States Fish and Wildlife Service. Printed Hearing 105-7

March 13, 1997Hearing held on H.R. 39, to reauthorize the African Elephant Conservation Act; and H. Con. Res. 8, expressing the Sense of Congress with respect to the significance of maintaining the health and stability of coral reef ecosystems. Printed Hearing 105-4

March 19, 1997Markup held on H.R. 39, to reauthorize the African Elephant Conservation Act; and H. Con. Res. 8, expressing the Sense of Congress with respect to the significance of maintaining the health and stability of coral reef ecosystems.

April 9, 1997Hearing held on H.R. 408, to amend the Marine Mammal Protection Act of 1972 to support the International Dolphin Conservation Program in the eastern tropical Pacific Ocean.

April 10, 1997Markup held on H.R. 408, to amend the Marine Mammal Protection Act of 1972 to support the International Dolphin Conservation Program in the eastern tropical Pacific Ocean.

May 6, 1997Hearing held on H. Res. 87, expressing the sense of the House of Representatives that the United States and the United Nations should condemn coral reef fisheries that are harmful to coral reef ecosystems and promote the development of sustainable coral reef fishing practices worldwide; H.R. 608, to direct the Secretary of the Interior to convey the Marion National Fish Hatchery and the Claude Harris National Aquacultural Research Center to the State of Alabama; and H.R. 796, to direct the Secretary of the Interior to make technical corrections to a map relating to the Coastal Barrier Resources System.

May 15, 1997Hearing held on H.R. 741, to clarify hunting prohibitions and provide for wildlife habitat under the Migratory Bird Treaty Act. Printed Hearing 105-23

May 22, 1997Markup held on H. Res. 87, expressing the sense of the House of Representatives that the United States and the United Nations should condemn coral reef fisheries that are harmful to coral reef ecosystems and promote the development of sustainable coral reef fishing practices worldwide; H.R. 608, to direct the Secretary of the Interior to convey the Marion National Fish Hatchery and the Claude Harris National Aquacultural Research Center to the State of Alabama; H.R. 796, to direct the Secretary of the Interior to make technical corrections to a map relating to the Coastal Barrier Resources System; H.R. 1278, National Oceanic and Atmospheric Administration Authorization Act of 1997; and H.R. 1658, to reauthorize and amend the Atlantic Striped Bass Conservation Act and related laws.

May 22, 1997Joint hearing with the Committee on National Security Subcommittee on Military Installations and Facilities on H.R. 374, to amend the Act popularly known as the "Sikes Act" to enhance fish and wildlife conservation and natural resources management programs.

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June 18, 1997Hearing held on H.R. 1856, Volunteers for Wildlife Act of 1997.

June 26, 1997Hearing held on H.R. 1855, to impose a moratorium on "large fishing vessels" in the Atlantic herring and mackerel fisheries.

July 31, 1997Hearing held on H.R. 1787, to assist in the conservation of Asian elephants by supporting and providing financial resources for the conservation programs of nations within the range of Asian elephants and projects of persons with demonstrated expertise in the conservation of Asian elephants. Printed Hearing 105-49

Markup held on H.R. 512, to prohibit the expenditure of funds from the Land and Water Conservation Fund for the creation of new National Wildlife Refuges without specific authorization from Congress pursuant to a recommendation from the United States Fish and Wildlife Service to create the refuge; H.R. 1856, Volunteers for Wildlife Act of 1997; and H.R. 2233, to assist in the conservation of coral reefs.

September 11, 1997Markup held on H. Con. Res. 131, expressing the sense of Congress regarding the ocean.

September 25, 1997Hearing held on H.R. 2376, to reauthorize and amend the National Fish and Wildlife Foundation Establishment Act. Printed Hearing 105-54

October 23, 1997Markup held on H.R. 2376, to reauthorize and amend the National Fish and Wildlife Foundation Establishment Act.

Hearing held on H.R. 2401, to direct the Secretary of the Interior to make technical corrections to a map relating to the Coastal Barrier Resources System; and H.R. 2556, to reauthorize the North American Wetlands Conservation Act and the Partnerships for Wildlife Act. Printed Hearing 105-64

October 30, 1997Markup held on H.R. 2556, to reauthorize the North American Wetlands Conservation Act and the Partnerships for Wildlife Act.

February 5, 1998Hearing held on H.R. 2807, Rhino and Tiger Product Labeling Act; and H.R. 3113, Rhinoceros and Tiger Conservation Reauthorization Act. Printed Hearing 105-69

February 12, 1998Markup held on H.R. 2807, Rhino and Tiger Product Labeling Act; H.R. 3113, Rhinoceros and Tiger Conservation Reauthorization Act; and H.R. 3164, Hydrographic Services Improvement Act of 1998.

March 3, 1998Hearing held on H.R. 2973, Sportfishing and Boating Improvement Act of 1997.

March 19, 1998Hearing held on S. 1213, Oceans Act of 1997; H.R. 2547, to develop and maintain a coordinated, comprehensive, and long-range national policy with respect to ocean and coastal activities that will assist the Nation in meeting specified objectives; and H.R. 3445, Ocean Commission Act. Printed Hearing 105-75

April 23, 1998Markup held on H.R. 3445, Oceans Act of 1998.

April 28, 1998Joint hearing held with Subcommittee on National Parks and Public Lands on H.R. 2800, Battle of Midway National Memorial Study Act.

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May 7, 1998Hearing held on H.R. 3498, Dungeness Crab Conservation and Management Act.

May 14, 1998Hearing held on H.R. 2760, Disabled Sportsmens Access Act. Printed Hearing 105-84

May 19, 1998Hearing held on H.R. 2291, to amend the Fish and Wildlife Improvement Act of 1978 to enable the Secretary of the Interior to more effectively utilize the proceeds of sales of certain items; H.R. 3460, to approve a Governing International Fishery Agreement between the United States and the Republic of Latvia, to reauthorize the Atlantic Tunas Convention Act of 1975 and extend the Northwest Atlantic Fisheries Convention Act of 1995; H.R. 3461, to approve a Governing International Fishery Agreement between the United States and the Republic of Poland; and H.R. 3647, to make a technical correction in unit FL-35 (Pumpkin Key) of the Coastal Barrier Resources System;

June 4, 1998Markup held on H.R. 2291, to amend the Fish and Wildlife Improvement Act of 1978 to enable the Secretary of the Interior to more effectively utilize the proceeds of sales of certain items; H.R. 3460, to approve a Governing International Fishery Agreement between the United States and the Republic of Latvia, to reauthorize the Atlantic Tunas Convention Act of 1975 and extend the Northwest Atlantic Fisheries Convention Act of 1995; and H.R. 3498, Dungeness Crab Conservation and Management Act.

June 18, 1998Hearing held on H.R. 1481, Great Lakes Fish and Wildlife Restoration Act of 1997.

July 16, 1998Markup held on H.R. 1481, Great Lakes Fish and Wildlife Restoration Act of 1997.-

September 17, 1998Markup held on H.R. 4337, Nutria Eradication and Control Pilot Program.

Hearing held on H.R. 2304, to direct the Secretary of the Interior to make technical corrections to a map relating to the Coastal Barrier Resources System; H.R. 4248, to authorize the use of receipts from the sale of the Migratory Bird Hunting and Conservation Stamps to promote additional stamp purchases; and H.R. 4517, Neotropical Migratory Bird Habitat Enhancement Act.B. Legislation enacted

H.R. 39, reauthorizes the African Elephant Conservation Act (Public Law 105-217).

H.R. 374, to amend the Act popularly known as the "Sikes Act" to enhance fish and wildlife conservation and natural resources management programs (enacted as part of Public Law 105-85).

H.R. 408, amends the Marine Mammal Protection Act of 1972 to support the International Dolphin Conservation Program in the eastern tropical Pacific Ocean, and for other purposes (Public Law 105-42).

H.R. 511, amends the National Wildlife Refuge System Administration Act of 1966 to improve the management of the National Wildlife Refuge System, and for other purposes (enacted as part of Public Law 105-57).

H.R. 741, clarifies hunting prohibitions and provide for wildlife habitat under the Migratory Bird Treaty Act (enacted as part of Public Law 105-312).

H.R. 796, directs the Secretary of the Interior to make technical corrections to a map relating to the Coastal Barrier Resources System (enacted as part of Public Law 105-277).

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H.R. 1481, amends the Great Lakes Fish and Wildlife Restoration Act of 1990 to provide for implementation of recommendations of the United States Fish and Wildlife Service contained in the Great Lakes Fishery Restoration Study Report (Public Law 105-265).

H.R. 1658, reauthorizes and amend the Atlantic Striped Bass Conservation Act and related laws (Public Law 105-146).

H.R. 1787, assists in the conservation of Asian elephants by supporting and providing financial resources for the conservation programs of nations within the range of Asian elephants and projects of persons with demonstrated expertise in the conservation of Asian elephants (Public Law 105-96).

H.R. 1855, establishes a moratorium on large fishing vessels in Atlantic herring and mackerel fisheries (enacted as part of Public Law 105-119).

H.R. 1856, amends the Fish and Wildlife Act of 1956 to direct the Secretary of the Interior to conduct a volunteer pilot project at one national wildlife refuge in each United States Fish and Wildlife Service region, and for other purposes (Public Law 105-242).

H.R. 2401, directs the Secretary of the Interior to make technical corrections to a map relating to the Coastal Barrier Resources System (enacted as part of Public Law 105-277).

H.R. 2556, reauthorize the North American Wetlands Conservation Act and the Partnerships for Wildlife Act (enacted as part of Public Law 105-312).

H.R. 2760, amends the Sikes Act to establish a mechanism by which outdoor recreation programs on military installations will be accessible to disabled veterans, military dependents with disabilities, and other persons with disabilities (enacted as part of Public Law 105-261).

H.R. 2807, amends the Rhinoceros and Tiger Conservation Act of 1994 to prohibit the sale, importation, and exportation of products labeled as containing substances derived from rhinoceros or tiger (Public Law 105-312).

H.R. 2973, amends the Act popularly known as the Federal Aid in Fish Restoration Act, authorizing assistance to the States for fish restoration and management projects, and for other purposes (enacted as part of Public Law 105-178).

H.R. 3113, reauthorize the Rhinoceros and Tiger Conservation Act of 1994 (enacted as part of Public Law 105-312).

H.R. 3164, describes the hydrographic services functions of the Administrator of the National Oceanic and Atmospheric Administration, and for other purposes (enacted as part of Public Law 105-384).

H.R. 3460, approves a governing international fishery agreement between the United States and the Republic of Latvia, and for other purposes (enacted as part of Public Law 105-384).

H.R. 3461, approve a governing international fishery agreement between the United States and the Republic of Poland (Public Law 105-384).

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H.R. 3498, amends the Magnuson-Stevens Fishery Conservation and Management Act to authorize the States of Washington, Oregon, and California to regulate the Dungeness crab fishery in the exclusive economic zone (enacted as part of Public Law 105-384).

H.R. 3544, amends the National Sea Grant College Program Act with respect to the treatment of Lake Champlain (enacted as part of Public Law 105-174).

H.R. 3569, transfers administrative jurisdiction over certain parcels of public domain land in Lake County, Oregon, to facilitate management of the land, and for other purposes (enacted as part of Public Law 105-321).

H.R. 3647, directs the Secretary of the Interior to make technical corrections to a map relating to the Coastal Barrier Resources System (enacted as part of Public Law 105-277).

H.R. 3689, transfers administrative jurisdiction over the Land Between the Lakes National Recreation Area to the Secretary of Agriculture (enacted as part of Public Law 105-277).

H.R. 4180, reduces fishing capacity in United States fisheries (enacted as part of Public Law 105-277).

H.R. 4235, authorizes appropriations for the National Oceanic and Atmospheric Administration to conduct research, monitoring, education, and management activities for the prevention, reduction, and control of harmful algal blooms, including blooms of *Pfiesteria piscicida* and other aquatic toxins, hypoxia, and for other purposes (enacted as part of Public Law 105-383).

H.R. 4248, authorizes the use of receipts from the sale of the Migratory Bird Hunting and Conservation Stamps to promote additional stamp purchases (Public Law 105-269).

H.R. 4289, provides for the purchase by the Secretary of the Interior of the Wilcox ranch in Eastern Utah for management as wildlife habitat (enacted as part of Public Law 105-363).

H.R. 4337, authorizes the Secretary of the Interior to provide financial assistance to the State of Maryland for a pilot program to develop measures to eradicate or control nutria and restore marshland damaged by nutria (Public Law 105-322).

H.R. 4585, establishes the Northwest Straits Advisory Commission (enacted as part of Public Law 105-384).

H.R. 4634, catalyzes restoration of estuary habitat through more efficient financing of projects and enhanced coordination of Federal and non-Federal restoration programs, and for other purposes (enacted as part of Public Law 105-312).

S. 1104, directs the Secretary of the Interior to make corrections in maps relating to the Coastal Barrier Resources System (enacted as part of Public Law 105-277).

S. 1807, transfers administrative jurisdiction over certain parcels of public domain land in Lake County, Oregon, to facilitate management of the land, and for other purposes (enacted as part of Public Law 105-321).

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S. 1883, directs the Secretary of the Interior to convey the Marion National Fish Hatchery and the Claude Harris National Aquacultural Research Center to the State of Alabama, and for other purposes (Public Law 105-239).

S. 2094, amends the Fish and Wildlife Improvement Act of 1978 to enable the Secretary of the Interior to more effectively use the proceeds of sales of certain items (Public Law 105-328).

S. 2317, improves the National Wildlife Refuge System, and for other purposes (enacted as part of Public Law 105-312).

S. 2505, directs the Secretary of the Interior to convey title to the Tunnison Lab Hagerman Field Station in Gooding County, Idaho, to the University of Idaho (Public Law 105-346).C. Resolutions approved by both houses

H. Con. Res. 8 (H. Rept. 105-69), expressing the sense of Congress with respect to the significance of maintaining the health and stability of coral reef ecosystems.--D. Legislation passed House

H. Con. Res. 124, expressing the sense of the Congress regarding acts of illegal aggression by Canadian fishermen with respect to the Pacific salmon fishery, and for other purposes.

H. Con. Res. 131 (H. Rept. 105-262), expressing the sense of Congress regarding the ocean.

H.R. 437 (H. Rept. 105-22, Pt. I), to reauthorize the National Sea Grant College Program Act, and for other purposes. (See S. 927 for further action)

H.R. 512 (H. Rept. 105-276), to prohibit the expenditure of funds from the Land and Water Conservation Fund for the creation of new National Wildlife Refuges without specific authorization from Congress pursuant to a recommendation from the United States Fish and Wildlife Service to create the refuge.

H.R. 2233 (H. Rept. 105-277), to assist in the conservation of coral reefs.

H.R. 3445 (H. Rept. 105-718, Part I), to establish the Commission on Ocean Policy, and for other purposes. E. Legislation ordered reported by the full committee

H.R. 1278 (H. Rept. 105-66, Part II), to authorize appropriations for the activities of the National Oceanic and Atmospheric Administration for fiscal years 1998 and 1999, and for other purposes.

H.R. 2376 (H. Rept. 105-483), to reauthorize and amend the National Fish and Wildlife Foundation Establishment Act.

H.R. 2993 (H. Rept. 105-678), to provide for the collection of fees for the making of motion pictures, television productions, and sound tracks in National Park System and National Wildlife Refuge System units, and for other purposes.F. Legislation marked up at subcommittee

H. Res. 87, expressing the sense of the House of Representatives that the United States and the United Nations should condemn coral reef fisheries that are harmful to coral reef ecosystems and promote the development of sustainable coral reef fishing practices worldwide.

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H.R. 608, to direct the Secretary of the Interior to convey the Marion National Fish Hatchery and the Claude Harris National Aquacultural Research Center to the State of Alabama. (See S. 1883 for further action)

H.R. 2291, to amend the Fish and Wildlife Improvement Act of 1978 to enable the Secretary of the Interior to more effectively utilize the proceeds of sales of certain items. (See S. 2094 for further action)

#### IV. oversight activities of the subcommittee on fisheries conservation, wildlife and oceansA. Introduction

The Subcommittee also seriously pursued and aggressively carried out its oversight responsibilities. In fact, more than 50 percent of the Subcommittee's public hearings were dedicated to ensuring that Federal programs were working and that U.S. taxpayer dollars were being wisely spent. This Congress, the Subcommittee conducted oversight hearings on: the budget requests of the U.S. Fish and Wildlife Service and the National Oceanic and Atmospheric Administration; the environmental impact of snow geese on the Arctic Tundra; the impact of *perfringens* on our fishing resources; the International Year of the Ocean activities; the management of our Nations fisheries by the National Marine Fisheries Service; west coast groundfish; U.S. ownership of fishing vessels; and U.S. participation in the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

**Budget Review:** The Subcommittee will hold an oversight hearing on the President's Fiscal Year (FY) 1998 budget recommendations for the U.S. Fish and Wildlife Service, the National Marine Fisheries Service, and certain "wet" programs of the National Oceanic and Atmospheric Administration (NOAA). The Fish and Wildlife Service operates the National Wildlife Refuge System and NOAA implements the Coastal Zone Management Act, the National Marine Sanctuaries Act, the National Sea Grant College Act, and U.S. fishing laws. Both agencies implement the Endangered Species Act.

Oversight hearings were held on the budgets of NOAA and US Fish and Wildlife Service (FWS) for FY 1998 and 1999 in 1997 and 1998, respectively.

**African Elephant Conservation Act of 1988:** The major provisions of this landmark conservation law are: to require the Secretary of the Interior to evaluate the effectiveness of the elephant conservation program of each ivory-producing nation; to prohibit ivory imports from African countries unable to adequately protect their elephants; to require intermediary countries to stop selling illegally obtained ivory; and to provide up to \$5 million per year to assist African nations in their elephant conservation efforts. Congress has previously reauthorized money for the African Elephant Conservation Fund. This authorization expires on September 30, 1998. During the 104th Congress, the Subcommittee conducted an oversight hearing (June 20, 1996) on this historic law. The Subcommittee will conduct a hearing on legislation to further extend the African Elephant Conservation Fund.

The Subcommittee held a legislative hearing on H.R. 39, the African Elephant Conservation Reauthorization Act, on March 13, 1997. The legislation was favorably reported from Committee and passed the Full House of Representatives. The African Elephant Conservation Reauthorization Act was then enacted (Public Law 105-217).

**Coastal Barrier Resources System:** The Coastal Barrier Resources Act of 1982 ended Federal financial assistance on undeveloped coastal barriers included in the Coastal Barrier Resources System. Inclusion in the System does not prevent private development, but restricts the use of Federal funds for flood insurance, highway construction, and water and sewer grants. During the 104th Congress, legislation was

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enacted that removed certain coastal barrier lands in Florida, New York, and South Carolina that were incorrectly incorporated within the System. Legislation may be introduced during the next two years to remove additional lands from the System. The Subcommittee will carefully examine, through public hearings, the merits of each of these proposals.

Hearings were held and legislation was enacted on various coastal barrier resources issues. H.R. 796, S. 1104, H.R. 2401, and H.R. 3647 were included in Public law 105-277.

Federal Fish Hatcheries: there are currently 72 Federal fish hatcheries operated by the U.S. Fish and Wildlife Service, that produce various species of fish that are distributed as part of the Services nationwide stocking programs in lakes, ponds, and streams throughout the U.S. During the 104th Congress, legislation was enacted that transferred title of eight Federal fish hatcheries to State and local governmental entities. The Subcommittee will conduct an oversight hearing on whether additional facilities should be transferred. Furthermore, it is likely that legislation will be introduced to transfer additional hatcheries in the 105th Congress. These bills will be carefully reviewed.

Legislation to transfer the Marion National Fish Hatchery and the Claude Harris National Aquacultural Research Center to the State of Alabama (S. 1883) was enacted into law (Public Law 105-239).

Marine Mammal Protection Act: The Marine Mammal Protection Act (MMPA) was enacted in 1972 for the purpose of ensuring that marine mammals are maintained at, or in some cases restored to, healthy population levels. This Act governs a variety of subjects including public display, scientific research, subsistence use of marine mammals, and the incidental take of marine mammals during commercial fishing operations. Jurisdiction over marine mammals under the MMPA is divided between the U.S. Fish and Wildlife Service, which has responsibility for dugongs, manatees, polar bears, sea otters, and walrus, and the National Marine Fisheries Service, which has responsibility for all other marine mammals. In 1994, Congress enacted the Marine Mammal Protection Act Amendments (Public Law 103-238). This law reauthorized Federal funding for the MMPA until September 30, 1999, and made a number of significant changes in the Act. The Subcommittee will conduct oversight hearings during the 105th Congress on the effectiveness of MMPA.

The Subcommittee continued to conduct oversight of the MMPA in preparation of reauthorizing the Act. Oversight and legislative hearings will be held during the 106th Congress.

National Wildlife Refuge System: The System is comprised of Federal lands that have been acquired for the conservation and enhancement of fish and wildlife. Totalling about 91.7 million acres, the System provides habitat for hundreds of fish and wildlife species, including more than 165 species listed as threatened or endangered under the Endangered Species Act. At present, the System is comprised of 511 refuges, which are located in all 50 States and the five territories. During the last Congress, the Subcommittee conducted a number of legislative and oversight hearings on our Refuge System. Additionally, the House of Representatives overwhelmingly adopted H.R. 1675, the National Wildlife Refuge Improvement Act, on April 24, 1996. This legislation is expected to be reintroduced in the 105th Congress and will be the subject of a Subcommittee hearing.

At the beginning of the 105th Congress H.R. 511 (the successor bill to H.R. 1674) was introduced and a hearing was held on March 7, 1997. After consultations with the Administration a new bill was introduced (H.R. 1420) to improve the management of our National Wildlife Refuges. H.R. 1420 was favorably



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reported by the Committee on Resources and overwhelmingly passed the House of Representatives. H.R. 1420 was then enacted into law (Public Law 105-57).

**National Wildlife Refuge System Maintenance Backlog** During the 104th Congress, the Subcommittee conducted two oversight hearings on the growing maintenance backlog issue at our Nations Wildlife Refuge System. According to the U.S. Fish and Wildlife Service, this backlog has now risen to \$440 million. This backlog represents deferred maintenance at visitor centers, picnic pavilions, observation towers, public use buildings, roads, bridges, dams, canals, and other water management structures. The Subcommittee intends to hold a series of oversight hearings in Washington, D.C., and other places on this backlog maintenance issue. The purpose of these hearings will be to clearly identify the problem and to seek effective solutions so that the System can be revitalized before the 100th birthday of the National Wildlife Refuge System in 2003.

The Subcommittee conducted hearing on this issue on April 21, 1997, and during consideration of the budget request for the U.S. Fish and Wildlife Service.

**National Fish and Wildlife Foundation Act of 1984:** his Foundation, which was established as a non-profit corporation, was created to encourage, accept, and administer private gifts of property for the benefit of the U.S. Fish and Wildlife Service and to conduct activities to further the conservation and management of the fish, wildlife, and plant resources of the U.S. During the 104th Congress, the Subcommittee conducted an oversight hearing on the Foundation, whose authorization of appropriations expires on September 30, 1998. The Subcommittee will hold a hearing on legislation related to reauthorization of the Foundation in the future.

The Subcommittee held a legislative hearing on H.R. 2376 to reauthorize and amend the National Fish and Wildlife Foundation Establishment Act on September 25, 1997. The legislation was then ordered reported to the Full Committee who favorably reported the legislation on March 11, 1998. The Senate companion bill, S. 2095, was brought to the House of Representatives under Suspension of the Rules, but failed to receive the necessary two-thirds vote to pass.

**Natural Resource Management on Military Lands Act of 1960:** he Department of Defense (DOD) manages nearly 25 million acres at approximately 900 military bases nationwide. These lands contain a wealth of plant and animal life, they provide vital habitat for thousands of migratory waterfowl, and they are home for nearly 100 endangered or threatened species. First enacted in 1960, the Sikes Act provides protection for threatened and endangered species of fish, plants, and wildlife on these military lands. The authorization of appropriations for the Act expired on September 30, 1993. During the last Congress, the House of Representatives overwhelmingly adopted H.R. 1141, the Sikes Act Improvement Amendments, which reauthorized funding until September 30, 1998. Regrettably, the Senate took no action on this bill. The Subcommittee will conduct a joint hearing with the Committee on National Securitys Subcommittee on Military Installations and Facilities on legislation to reauthorize the Sikes Act.

H.R. 374, the Sikes Act Improvement Amendments, was introduced on January 7, 1997, to enhance fish and wildlife conservation and natural resources management programs. A joint hearing was held with the Committee on National Security, Subcommittee on Military Installations and Facilities, on May 22, 1997. H.R. 374 was incorporated into Public Law 105-85, the Defense Authorization Act (H.R. 1119).

National American Wetlands Conservation Act of 1989: the purpose of the North American Wetlands Conservation Act is to conserve wetland ecosystems and the species they support, which are primarily waterfowl. This Act also provides the financial assistance necessary for the implementation of the North American Waterfowl Management Plan, an agreement originally signed in 1986, to reverse the loss of wetlands and to stem the decline in populations of migratory birds. The authorization of appropriations for the Act expires on September 30, 1998. The Subcommittee will conduct a hearing on legislation to extend the Act.

A legislative hearing was held on October 27, 1997, on H.R. 2556, to reauthorize the North American Wetlands Conservation Act and the Partnerships for Wildlife Act. The Subcommittee reported the legislation to the Full Committee who favorably reported the bill to the House of Representatives. H.R. 2556 was passed by the House and then incorporated into Public Law 105-312, Rhino and Tiger Product Labeling Act (H.R. 2807).

#### Sport Fish Restoration Programs:

(A) Federal Aid in Sport Fish Restoration Act of 1952 (Sport Fishing and Boating Enhancement Fund or the Wallop-Breaux Trust Fund): this fund is derived from fees, taxes, and duties imposed on fishing equipment, motorboat fuel, imported watercraft, and fishing tackle. The revenues are allocated to the States, on a formula basis, and are used to protect natural resources and enhance recreational opportunities for millions of Americans. Since its inception, more than \$2 billion has been collected and allocated to the States.

(B) Federal Aid in Wildlife Restoration Act of 1937 (Pittman-Robertson): early 60 years ago, hunters lobbied Congress to impose a tax on themselves. The money is derived from an 11 percent excise tax on sporting arms and ammunition; a 10 percent tax on pistols and revolvers; and an 11 percent tax on certain archery equipment. Hunters have now paid more than \$2.6 billion into the Federal Aid in Wildlife Restoration Program. Federal aid money is distributed by the U.S. Fish and Wildlife Service to the States to fund wildlife conservation and hunter education programs. These funds have been largely responsible for the recovery of many species, including pronghorn antelope, white-tailed deer, wood ducks, and wild turkey. Many State wildlife agencies could not operate without this money.

(C) Capital Construction Fund: section 607 of the Merchant Marine Act of 1936 was enacted to provide an incentive to build and document commercial and fishing vessels in the U.S. by allowing companies to establish individual Capital Construction Fund (CCF) accounts funded by tax-deferred deposits. The commercial and fishing vessel programs are administered by the Maritime Administration (MARAD) and NOAA respectively. Overcapitalization of some U.S. fisheries has prompted calls for changes in the CCF regulations to allow early withdrawal or alternative uses of the funds rather than requiring the construction of additional new fishing vessels. These ideas will be examined, as well as attempts by the Internal Revenue Service to exert sole authority over the CCF program.

The Subcommittee intends to hold several oversight hearings on these three funding proposals. The purpose of these hearings is to examine their effectiveness, how the money is allocated to the States, and whether these resources have been effectively spent.

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A legislative hearing was held on H.R. 3972, the Sportfishing and Boating Improvement Act, on March 3, 1998. The legislation was incorporated into Public Law 105-178, Transportation Reauthorization Bill TEA 21 (H.R. 2400).

"Teaming With Wildlife": The International Association of Fish and Wildlife Agencies and the National Association of State Park Directors have developed a new funding concept to raise additional revenues that would be allocated to the States for the more than 1,800 wildlife species for which no reliable funded conservation programs exist. These species include butterflies, frogs, herons, songbirds, turtles, and otters. Under this concept, a new excise fee of up to five percent of the value of a product would be placed on an extensive list of recreational items including backpacks, canoes, film, hiking boots, sport utility vehicles, and sleeping bags. The goal is to raise some \$350 million in new revenues each year. The Subcommittee may conduct an oversight hearing on this issue.

The Subcommittee conducted no hearings on this issue in the 105th Congress.

Trinity River Basin Fish and Wildlife Management Act of 1984 This Act implemented 11 actions recommended by a federal/State Trinity River Basin Fish and Wildlife Task Force to restore the habitat of the watershed. These actions were necessary because 90 percent of the Rivers flow was diverted to the Central Valley of California for agricultural, municipal, and industrial uses. During the 104th Congress, legislation was enacted to extend the authorization of appropriations until September 30, 1998. The Subcommittee will conduct an oversight hearing on this issue and is likely to extend the authorization beyond its current deadline.

The Subcommittee conducted no hearings on this issue in the 105th Congress. National Marine Fisheries Service (NMFS)

Aquaculture: Each year, Federal funds are appropriated to the National Marine Fisheries Service to promote the growth of marine aquaculture industry. The Subcommittee will hold an oversight hearing to evaluate the effectiveness of this program and whether continued investment by the Federal government is warranted.

No oversight hearing was held.

Atlantic Tunas Convention Act of 1975: This is the implementing legislation for the International Convention for the Conservation of Atlantic Tunas, an international treaty for the conservation and management of highly migratory tuna and tuna-like species of the Atlantic Ocean and Gulf of Mexico. During the 104th Congress, the authorization of appropriations for this Act was extended until September 30, 1998. The Subcommittee will reevaluate the effectiveness and whether there is an ongoing need for further Federal funding of this program in the future.

A provision was included in Public Law 105-384 (H.R. 3461) to reauthorize the Atlantic Tunas Convention Act of 1975.

Artificial Reefs In recent years, there have been several proposals to allow National Defense Reserve Fleet surplus ships to be sold for scrap or used for artificial reefs. The Subcommittee may hold an oversight hearing on the effectiveness of artificial reefs in building new fish and shellfish habitats.

The Subcommittee conducted no hearings on this issue in the 105th Congress.

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**Fish Passages Technology** The Office of Technology Assessment has issued a report on the state of technology of fish passages and other systems for transferring hatchlings around Federal power projects. The Subcommittee will hold a hearing on this report during the 105th Congress.

The Subcommittee conducted no hearings on this issue in the 105th Congress.

**Magnuson-Stevens Fishery Conservation and Management Act** This Act provides a national program for the conservation and management of our Nations marine fishery resources within our 200-mile Exclusive Economic Zone. The Act established eight Regional Fishery Management Councils that have primary responsibility for managing the fishery resources outside of State waters. During the 104th Congress, landmark legislation was enacted to improve and extend the authorization of appropriations for the Magnuson Act. This authorization expires on September 30, 1999. The Subcommittee will conduct an oversight hearing on Public Law 104-297.

The Subcommittee conducted oversight hearings on the management of our Nations fishery resources on July 24, 1997; August 15, 1997; September 11, 1997; October 9, 1997; April 30, 1998; and June 4, 1998.

**Pacific Salmon Treaty** The U.S. and Canada signed the Pacific Salmon Treaty in 1985. Since then, the two countries have met numerous times to further negotiate outstanding issues related to the Treaty. While a series of yearly agreements have been successfully approved, a final resolution of these negotiations is still pending. The Subcommittee will hold an oversight hearing on these negotiations.

An oversight hearing was held on the U.S.-Canada Pacific Salmon Treaty negotiations on September 18, 1997.

**Saltonstall-Kennedy Program** The Saltonstall-Kennedy Grant Program is administered by the National Marine Fisheries Service and is used to provide grants for fisheries research and development projects. Funding is provided by the Department of Agriculture as a percentage of the gross receipts collected on imported fish and fish products. All grant projects undergo technical and industry review and are encouraged to have a cost-sharing component. The Subcommittee will review the amounts received and granted under this program.

The Subcommittee conducted no hearings on this issue in the 105th Congress.

**Seafood Safety and Inspection Programs** Legislation to develop an expanded, mandatory national seafood safety program has been introduced and debated at length in previous Congresses. There is an ongoing debate over who should be the lead agency for seafood safety the Food and Drug Administration, NOAA, or the Agriculture Department. The Subcommittee will hold an oversight hearing on this subject.

The Subcommittee conducted no hearings on this issue in the 105th Congress.

**Tuna/Dolphin Issue** In October of 1995, twelve nations, including the U.S., completed negotiations on an international agreement to protect dolphins and other species in the eastern tropical Pacific Ocean. During the 104th Congress, the House of Representatives approved legislation, the International Dolphin Conservation Program of 1996, to codify the international agreement. The U.S. Senate took no action on this issue. The Subcommittee may conduct further deliberations on this issue during the 105th Congress.

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H.R. 408, to amend the Marine Mammal Protection Act of 1972 to support the international Dolphin Conservation Program in the eastern tropical Pacific Ocean, was enacted into law (Public Law 105-42). National Oceanic and Atmospheric Administration (NOAA)

Arctic Research In 1995, Congress directed the National Science Foundation to submit a report on the relationship of those Federal resources used for Arctic and Antarctic scientific research. The statutory deadline for this report is February 20, 1997. The Subcommittee intends to conduct an oversight hearing on that report and on other Federal programs involving Arctic research, including NOAAs new Arctic Initiative.

An oversight hearing was held on Arctic Snow Geese: Is the Arctic Ecosystem in Peril? This hearing was held on April 23, 1998.

Atlantic Striped Bass Conservation Act: his law, which was first enacted in 1984, requires that States implement conservation measures that are consistent with interstate fishery management plans adopted by the Atlantic States Marine Fisheries Commission. In the past 12 years, the resurgence of the Atlantic Striped Bass has been a major fishery management success story. During the 104th Congress, the House of Representatives overwhelmingly adopted legislation (H.R. 1139 and H.R. 4139) to extend this conservation law until September 30, 1997. The U.S. Senate took no final action on either of these proposals. The Subcommittee intends to hold a hearing on legislation to reauthorize the Act.

Legislation to reauthorize and amend the Atlantic Striped Bass Conservation Act and related laws (H.R. 1658) was enacted into law (Public Law 105-146).

Coastal Zone Management Act: nacted in 1972, the Coastal Zone Management Act (CZMA) encourages States to regulate land and water uses that affect their coastal zones. While the program is voluntary, States receive grant money to develop a plan which, when approved by NOAA, makes them eligible for further Federal assistance to help manage their coastal programs. Last year, Congress enacted the Coastal Zone Protection Act of 1996 (Public Law 104-150), which reauthorized the CZMA funding programs until September 30, 1999. During the second session of the 105th Congress, the Subcommittee will conduct an oversight hearing on Public Law 104-150 to evaluate the ongoing effectiveness and need for future funding of CZMA programs as well as implementation of the CZMA amendments of 1996.

The Subcommittee conducted no hearings on this issue in the 105th Congress.

Mapping and Charting Program In the last 15 years, advances in computer technology have caused dramatic leaps forward in marine navigation technology. Satellite-based Differential Global Positioning Systems and the ability to monitor real-time and current data hold the promise of significant economic efficiencies. Unfortunately, these efficiencies can only be exploited if we have accurate, up-to-date nautical charts. Many of the charts we use today are based on data collected in the last century. The accuracy of this information is totally insufficient for todays larger ships and advanced navigation capabilities. NOAA is preparing a plan on how it will update its charts and develop real-time tide and current information. The Subcommittee will hold an oversight hearing on this plan.

An oversight hearing was held on the future of hydrography on April 24, 1997. Legislation was subsequently introduced: H.R. 3164, the Hydrographic Services Improvement Act. This legislation was incorporated into Public Law 105-384 (H.R. 3461).

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NOAA Corps NOAA has under its jurisdiction a 358-person uniform corps that is trained in both science and vessel operations. The Corps, which operates 16 active ships and 10 aircraft, receives military type pay and benefits. The Subcommittee will hold an oversight hearing to evaluate the purpose, role, and mission of the Corps in the future.

The Subcommittee conducted no hearings on this issue in the 105th Congress.

NOAAs Generic Laws: he Subcommittee will hold one or more oversight hearings on those programs and responsibilities under the jurisdiction of the Resources Committee.

H.R. 1278, the National Oceanic and Atmospheric Administration Authorization Act was introduced on April 10, 1997. The legislation was later favorably reported by the Committee on Resources.

NOAA Fleet Modernization: s part of the NOAA Authorization Act of 1992, Congress approved a provision requiring NOAA to prepare and submit a fleet modernization plan for the agency's ongoing 16 research vessel fleet. While NOAA has submitted its plan, fundamental questions remain about whether these vessels should be replaced or if these functions could be effectively contracted out to private sector vessels.

The Subcommittee conducted no hearings on this issue in the 105th Congress.

National Marine Sanctuaries Program The National Marine Sanctuaries Act of 1972 authorizes the Secretary of Commerce to designate areas of the marine environment with nationally significant aesthetic, ecological, historical, or recreational values as National Marine Sanctuaries. The primary objective of this law is to protect marine resources, such as coral reefs, sunken historical vessels, or unique habitats, while allowing all compatible public and private uses of these resources. In short, marine sanctuaries are our Nations underwater parks. During the 104th Congress, legislation was approved, the National Marine Sanctuaries Preservation Act of 1996 (Public Law 104-283), to reauthorize this landmark environmental law until September 30, 1999. During the 105th Congress, the Subcommittee will conduct an oversight hearing on the management of the National Marine Sanctuaries Program.

An oversight hearing was held on November 6, 1997, to hear testimony on the management of the MONITOR National Marine Sanctuary.

National Sea Grant College Program: he National Sea Grant College Program was established in 1966 to improve marine resource conservation, management, and utilization. The Program is patterned after the Land Grant College Program, which was created in 1862. There are currently 26 sea grant colleges and three smaller institutional programs which manage a network of over 300 universities and affiliated institutions. Authorization for the program expired on September 30, 1995. While the House Resources Committee approved a bill, H.R. 1175, the Marine Resources Revitalization Act of 1995, to extend the Program until September 30, 1998, no further action was taken on this legislation. The Subcommittee intends to make the reauthorization of the National Sea Grant College Program a top legislative priority and will hold a hearing on a bill to extend funding on February 27, 1997.

A legislative hearing was held on H.R. 437, to reauthorize the National Sea Grant College Program Act, on February 27, 1997. H.R. 437 was passed by the House of Representatives. The Senate companion bill, S. 927, was then passed by both Houses and enacted into law (Public Law 105-160).B. Hearings

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February 27, 1997Oversight hearing held on National Oceanic and Atmospheric Administration FY 1998 budget request.

March 19, 1997Oversight hearing held on the U.S. Fish and Wildlife Service FY 1998 budget request.

April 21, 1997Oversight field hearing held in Manahawkin, New Jersey, on the management of the National Wildlife Refuge System and the importance of interactions between striped bass, bluefish, and forage fish. Printed Hearing 105-14

April 24, 1997Oversight hearing held on the future of hydrography. Printed Hearing 105-15

June 3, 1997Oversight hearing held on the upcoming CITES (Convention on International Trade in Endangered Species of Wild Fauna and Flora) meeting. Printed Hearing 105-29

July 17, 1997Oversight hearing held on results of Convention on International Trade in Endangered Species of Wild Fauna and Flora. Printed Hearing 105-29

July 24, 1997Oversight hearing held on review of the authority and decisionmaking processes of the National Marine Fisheries Service Northwest Region. Printed Hearing 105-34

August 15, 1997Oversight field hearing held in Boise, Idaho, on National Marine Fisheries Service management of Columbia River Basin salmon (continuation of the hearing held on July 24, 1997). Printed Hearing 105-34

September 11, 1997Oversight hearing held on the review of the management of our Nations fisheries by the National Marine Fisheries Service. Printed Hearing 105-39

September 18, 1997Oversight hearing held on U.S.-Canada Pacific Salmon Treaty negotiations. Printed Hearing 105-57

October 9, 1997Oversight hearing held on Pfiesteria and its impact on our fishery resources. Printed Hearing 105-63

October 30, 1997Oversight hearing held on examining activities being planned by the Administration for the International Year of the Ocean in 1998.

November 6, 1997Oversight hearing held on the management of the MONITOR National Marine Sanctuary. Printed Hearing 105-68

February 26, 1998Oversight hearing held on U.S. Fish and Wildlife Service FY 1999 budget request.

March 18, 1998 oversight hearing held on National Marine Fisheries Service FY 1999 budget request and other National Oceanic and Atmospheric Administration programs.

April 23, 1998 oversight hearing held on Arctic Snow Geese: Is the Arctic Ecosystem in Peril? Printed Hearing 105-81

April 30, 1998 oversight hearing held on West Coast Groundfish Issue. Printed Hearing 105-99.

June 4, 1998 oversight hearing held on United States Ownership of Fishing Vessels. Printed Hearing 105-98

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June 11, 1998 versight hearing held on Spiny Dog Fish Fishery Impact on Striped Bass.

July 16, 1998 versight hearing held on a pilot program to control the nonindigenous species nutria at the Blackwater National Wildlife Refuge in Maryland. Printed Hearing 105-97

July 30, 1998 versight hearing on status of oceanographic monitoring and assessment efforts on both global and local scales. Printed Hearing 105-106

September 29, 1998 versight hearing held on research being conducted in National Marine Sanctuaries. Printed Hearing 105-113

#### V. Subcommittee Statistics

Total number of bills and resolutions referred 106

Total number of bills reported from Subcommittee 23

Total number of bills reported from Full Committee 22

Total number of bills passed by the House 25

Total number of resolutions approved both Houses 1

Total number of bills enacted into law 38

#### Public Hearings and Markups:

Legislative- 21

Oversight 22

Markup sessions 12

Total number of subcommittee meetings (days) 44

#### Subcommittee on Energy and Mineral Resources

##### I. Introduction

The Subcommittee on Energy and Mineral Resources acted promptly in the 105th Congress to enact a bill to reauthorize and amend the National Geologic Mapping Act (NGMA). The NGMA is a cooperative effort by the U.S. Geological Survey and the various state geological surveys and academia to share responsibilities for prioritizing geologic mapping for societal needs, and for cost-sharing between Federal and state governments. The programs authorization had expired September 30, 1996, after the U.S. Senate failed to act upon House-passed legislation for reauthorization. H.R. 709 (introduced by Congresswoman Barbara Cubin, R-WY) was introduced February 12, 1997, heard in the Subcommittee on February 27, 1997, and reported favorably with an amendment to the full committee, reported favorably by the Committee to the full House on March 5, 1997, (H. Rept. 105-17, and adopted by voice vote by the full House of Representatives on March 11, 1997. The Senate considered and passed H.R. 709 on July 23, 1997. President Clinton signed the National Geologic Mapping Reauthorization Act of 1997 into law on August 5, 1997, as Public Law 105-36.



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On March 19, 1998, the Subcommittee held a legislative hearing on H.R. 3334 (introduced by Congressman William M. "Mac" Thornberry, R-TX), a bill to mandate the collection of Federal oil and gas lease royalties in-kind. This complex legislation required a follow-up legislative hearing on May 14, 1998, to further elicit views from governments and industry as to the practicality of such revision from the current practice of collecting the royalty obligation from lessees in value, a complex system in and of itself which has led to enormous audit and enforcement burdens upon the Federal government and equally steep costs for lessees to defend themselves from arbitrary rulings on valuation. On June 18, 1998, the Subcommittee reported the bill with an amendment to the full Committee on Resources. The 105th Congress adjourned before the Congressional Budget Office responded to Chairmen Don Young and Barbara Cubins request for a cost estimate on the subcommittee reported bill. A cost analysis is critical given the huge disparity between revenue estimates of Administration and the industry.

On October 15, 1998, the full House debated and passed S. 2500, (identical to H.R. 4598 (Cubin)) a bill to recognize and protect the sanctity of coalbed methane leases and contracts in situations where the U.S. owns coal rights but has patented all other minerals and the surface estate to other parties. The bill was made necessary by a ruling of the Tenth Circuit Court of Appeals (Southern Ute Tribe . Amoco which jeopardized legitimate private leases. S. 2500 does not apply where the Secretary of the Interior holds coal rights in trust for Indian tribes. S. 2500 was signed into law on November 10, 1998, as Public Law 105-367.

On July 21, 1998, the Subcommittee held a hearing on H.R. 3972, a bill to amend the Outer Continental Shelf Lands Act to require the Secretary of the Interior to make available to state and local governments sand resources from the Outer Continental Shelf without charge. The bill was discharged from the Subcommittee and reported without amendment from the Full Committee on August 5, 1998. On October 15, 1998 the full House debated and passed H.R. 3972 under suspension of the rules, but the Senate failed to act upon it prior to adjournment.

On July 21, 1998, the Subcommittee held a hearing on H.R. 1467, a bill to allow the Secretary of the Interior to waive Federal bonding requirements for certain oil lessees on the Wayne National Forest in deference to the State of Ohios orphan well program, which currently is an adequate guarantor of reclamation funds in the event improper abandonment occurs because of bankruptcy. The wells in question are on formerly private leases, now Federal through the expiration of private mineral reservations made when the surface was acquired by the Secretary of Agriculture under the Weeks Act of 1911. The bill was discharged from the Subcommittee, and reported with an amendment offered by Subcommittee Chairman Cubin, from the Full Committee on August 5, 1998. On October 15, 1998, the full House debated and passed H.R. 1467 under suspension of the rules, but the Senate failed to act upon it prior to adjournment.

On July 21, 1998, the Subcommittee held a hearing on H.R. 3878, a bill to subject certain reserved mineral rights to the operation of the Mineral Leasing Act of 1920. This legislation was introduced by Chairman Cubin to allow the Secretary of the Interior to lease two tracts of land in the Big Piney area of Sublette County, Wyoming, in which all minerals were reserved when the surface estate was sold under a 1964 statute requiring withdrawals of such reserved minerals if deemed to be in conflict with the purposes for which the sale occurred. The bill was discharged from the Subcommittee and reported without amendment from the Full Committee on August 5, 1998. On October 15, 1998, the full House debated and passed H.R. 3878 under suspension of the rules. The Senate chose not to act upon H.R. 3878, per se;

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however, this provision (the exact same language) became Section 132 of Public Law 105-277, the Omnibus Appropriations Act of 1998, signed October 21, 1998.-

## II. Jurisdiction

- (1) All measures and matters concerning the U.S. Geological Survey, except for the activities and programs of the Water Resources Division or its successor.
- (2) All measures and matters affecting geothermal resources.
- (3) Conservation of United States uranium supply.
- (4) Mining interests generally, including all matters involving mining regulation and enforcement, including the reclamation of mined lands, the environmental effects of mining, and the management of mineral receipts, mineral land laws and claims, long-range mineral programs and deep seabed mining.
- (5) Mining schools, experimental stations and long-range mineral programs.
- (6) Mineral resources on public lands.
- (7) Conservation and development of oil and gas resources of the Outer Continental Shelf.
- (8) Petroleum conservation on the public lands and conservation of the radium supply in the United States.
- (9) General and continuing oversight and investigative authority over activities, policies and programs within the jurisdiction of the Subcommittee.

### iii. legislative activitiesA. Legislative hearings and markups

February 27, 1997Hearing held on H.R. 709, to reauthorize and amend the National Geologic Mapping Act of 1997.

Markup held on H.R. 709, to reauthorize and amend the National Geologic Mapping Act of 1997.

March 19, 1998earing held on H.R. 3334, to provide certainty for, reduce administrative and compliance burdens associated with, and streamline and improve the collection of royalties from Federal and outer continental shelf oil and gas leases. (Part I) Printed Hearing 105-92

May 21, 1998Hearing held on H.R. 3334, to provide certainty for, reduce administrative and compliance burdens associated with, and streamline and improve the collection of royalties from Federal and outer continental shelf oil and gas leases. (Part II) Printed Hearing 10592

June 18, 1998Markup held on H.R. 3334, to provide certainty for, reduce administrative and compliance burdens associated with, and streamline and improve the collection of royalties from Federal and outer continental shelf oil and gas leases.

July 21, 1998Hearing held on H.R. 1467, to provide for the continuance of oil and gas operations pursuant to certain existing leases in the Wayne National Forest; H.R. 3878, to subject certain reserved mineral interests of the operation of the Mineral Leasing Act; and H.R. 3972, to amend the Outer Continental Shelf Lands Act to prohibit the Secretary of the Interior from charging State and local government

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agencies for certain uses of the sand, gravel, and shell resources of the Outer Continental Shelf. Printed Hearing 105-101B. Legislation enacted

H.R. 709, reauthorizes and amends the National Geologic Mapping Act of 1992, and for other purposes (Public Law 105-36).

H.R. 1163, amend title 10, United States Code, to transfer jurisdiction over Naval Oil Shale Reserves Numbered 1 and 3 to the Secretary of the Interior and to authorize the leasing of such reserves for oil and gas exploration and production (enacted as part of Public Law 105-85).

H.R. 1659, to provide for the expeditious completion of the acquisition of private mineral interests within the Mount St. Helens National Volcanic Monument mandated by the 1982 Act that established the Monument, and for other purposes. (Public Law 105-279)

H.R. 3689, to transfer administrative jurisdiction over the Land Between the Lakes National Recreation Area to the Secretary of Agriculture. (enacted as part of Public Law 105-277)

H.R. 3878, to subject certain reserved mineral interests of the operation of the Mineral Leasing Act, and for other purposes. (enacted as part of Public Law 105-277)

H.R. 3962, to provide for the ratification of payments made under preexisting onshore and offshore royalty-in-kind programs. (enacted as part of Public Law 105-277)

S. 750, to consolidate certain mineral interests in the National Grasslands in Billings County, North Dakota, through the exchange of Federal and private mineral interests to enhance land management capabilities and environmental and wildlife protection, and for other purposes. (Public Law 105-167)

S. 2500, to protect the sanctity of contracts and leases entered into by surface patent holders with respect to coalbed methane gas. (Public Law 105-367)C. Legislation passed House

H.R. 1467 (H. Rept. 105-770), to provide for the continuance of oil and gas operations pursuant to certain existing leases in the Wayne National Forest.

H.R. 2249, to authorize appropriations for carrying out the Earthquake Hazards Reduction Act of 1977 for fiscal years 1998 and 1999, and for other purposes. (See S. 910 for further action)

H.R. 3972 (H. Rept. 105-766), to amend the Outer Continental Shelf Lands Act to prohibit the Secretary of the Interior from charging State and local government agencies for certain uses of the sand, gravel, and shell resources of the outer Continental Shelf.4. Legislation ordered reported by the full committee

H.R. 2574 (H. Rept. 105-471), to consolidate certain mineral interests in the National Grasslands in Billings County, North Dakota, through the exchange of Federal and private mineral interests to enhance land management capabilities and environmental and wildlife protection, and for other purposes. (See S. 750 for further action)E. Legislation marked up at subcommittee

H.R. 3334, to provide certainty for, reduce administrative and compliance burdens associated with, and streamline and improve the collection of royalties from Federal and outer continental shelf oil and gas leases, and for other purposes.

IV. Oversight Activities of the Subcommittee on Energy and Mineral ResourcesA. Introduction

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Agency Budget Oversight: The Subcommittee oversees three Interior Department agencies in toto and programs in two others: U.S. Geological Survey (USGS), Office of Surface Mining (OSM), Minerals Management Service (MMS), the energy and minerals program of the Bureau of Land Management (BLM), and the minerals and geology program of the Forest Service (USDA). The Subcommittee will examine these agencies programs for streamlining, privatization opportunities, contracting out work, and otherwise streamlining research programs. Outside witnesses familiar with the programs output may be asked to testify regarding prioritizing programs/turning work over to State agencies and the private sector. Particular attention will be paid to proposed funding of traditional earth sciences programs versus biological studies to be performed by the new Department of the Interior Biological Research Division.

The Subcommittee held oversight hearings on the Administrations budget details for the USGS, OSM, MMS and BLMs energy and minerals programs on March 4, 1997 (Printed Hearing 105-9) for FY 1998 and on February 26, 1998 (Printed Hearing 105-74) for FY 1999.

Hardrock Mineral Exploration and Development: At least one oversight field hearing will examine mining royalty issues. During these hearings, the Subcommittee will examine means of increasing the return to the taxpayer from mining on public lands in a way which preserves the long-term viability of an important industry. Royalties must be structured so that they do not reduce mining activity.

In the 104th Congress, a hearing was held to examine factual investment data for trend in capital flow with industry and environmental testimony explaining reasons for these trends. The Subcommittee may hold a hearing with testimony from foreign governments explaining how they balance attracting investment versus regulatory oversight of mining proposals. The purpose of this hearing is to explore ways to improve the U.S. business climate for development of mineral resources on lands within our jurisdiction. Summer 1997.

The Subcommittee held an oversight field hearing in Elko, Nevada on September 22, 1997 (Printed Hearing 105-53) regarding the Administrations planned rewrite of the surface management regulations and the existing relationship between Federal land management agencies (BLM and U.S. Forest Service) and the State of Nevadas Department of Environmental Protection in the permitting of mineral activities. The issue of proposed structuring for royalties on hardrock mineral production was not addressed in the hearing, however.

Coal Mining Regulatory Reform: The Subcommittee will likely address the issue of giving States exclusive jurisdiction to enforce the Surface Mining Control and Reclamation Act of 1977 (SMCRA), as was intended by Congress but which the Federal Office of Surface Mining (OSM) has thwarted through improper implementation of State "primacy" for regulation of existing coal mine operations. State regulators interpreting Federal standards are routinely second-guessed by OSM inspectors. Federal inspectors continue to penalize operators rather than conduct a broad-based statewide program to oversee the adequacy of a States regulation of coal mining. In addition, the Subcommittee may hold field hearings to investigate OSMs recently issued regulations for use of ten-day notices.

Subcommittee Chairman Cubin was satisfied by actions taken by OSM Director Karpan (consistent with the Committees budget views and estimates) to work better with the coal-producing primacy states regulatory agencies to oversee enforcement of SMCRA-permitted active mining operations.

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**Regulatory Streamlining for Coal and Other Minerals:** In the 104th Congress, H.R. 1975, a bill to incorporate equity and fairness into oil and gas royalty collection from Federal lands, was signed into law (Public Law 104-185). The Subcommittee will pursue oversight hearings of MMS ability and intent to broaden these streamlining measures to coal and other minerals.

The Subcommittee is satisfied by the directives of the MMS to apply Public Law 104-185 provisions to other Mineral Leasing Act commodities as appropriate, in particular, the commitment to finalize appeals of Royalty Management Program decisions within 33 months.

**Abandoned Mine Lands Funding:** The Subcommittee will investigate the recent and historical uses of the Abandoned Mine Lands (AML) funds, the annual funding level appropriated for the AML, and possibly the effect of taking AML funds off-budget.

OSM Director Karpan indicated during the FY 1999 budget hearing a strong willingness to seek approval of an increased budget for abandoned mined land reclamation for FY 2000, payable from the AML trust fund established for this purpose, consistent with the Committees budget views and estimates for the last several years. Likewise, the position of the states AML agencies is to support the Subcommittees and OSMs efforts to allow a larger portion of the \$1.3 billion unappropriated balance in the AML trust fund.

**Energy Policy:** In the 104th Congress, the Subcommittee held two oversight hearings on energy policy: the first examined the economic and employment implications of declining U.S. oil and gas production, and a second reviewed the Nations oil and gas resource base and Federal initiatives for domestic oil and gas production. General oversight of the Administrations inadequate energy policy and resulting ever-increasing U.S. dependence on foreign sources of crude oil will remain a focus of the Subcommittee in the 105th Congress. Issues include access to public lands and the Outer Continental Shelf, which remain the areas most likely to provide significant new domestic discoveries of oil and gas. One element of this investigation will be to determine the total amount of Federal acreage off-limits to oil and gas exploration and development and the impact of these restrictions on the U.S. domestic economy. Field hearings are planned in western States with significant oil and gas production from Federal lands to investigate BLMs regulatory process for balancing environmental concerns, energy and mineral resource availability and economic factors.

The Subcommittee held an oversight field hearing in Casper, Wyoming on June 30, 1997 (Printed Hearing 105-50) regarding the Bureau of Land Managements oil and gas regulations concerning access and permitting of surface disturbing activities necessary for exploration, development and production of hydrocarbons from onshore Federal lands.

**Outer Continental Shelf Oil and Gas Production-Boosting Initiatives:** The Outer Continental Shelf (OCS) Lands Act of 1954 governs the leasing of tracts in Federal waters off our coasts. This program is by far the biggest revenue raiser of all Department of the Interior programs and is likely the second biggest in all the Federal government (after the Internal Revenue Service). MMS collects about \$3 billion per year in bonus bids, rentals and royalties from oil and gas producers, of which a portion goes into the Land and Water Conservation Fund (LWCF) for Federal and State land acquisition programs. The Subcommittee will examine the types and amounts of funds spent through the LWCF and how those expenditures relate to State and local policies for oil and gas development.

The Full Committee planned for, but subsequently canceled, an oversight hearing on the workings of the Land and Water Conservation Fund. But the Subcommittee held an oversight hearing on May 20, 1997 (Printed Hearing 105-40) regarding the expenditure of Land and Water Conservation Funds for the acquisition of private property rights in the New World mining district near Yellowstone National Park potentially threatening park values.

The OCS leasing program has been subjected to numerous leasing and drilling bans via appropriations bills and executive order. In the 104th Congress, the Subcommittee held an oversight hearing on several bills introduced to provide for permanent moratoria on much of the U.S. coastline. The Subcommittee will explore the rationale for retention versus elimination of such bans on activity in various waters in an effort to find acceptable ways to increase production from the OCS.

The Subcommittee held an oversight hearing on May 14, 1998 (Printed Hearing 105-92) concerning oil and gas development on the outer continental shelf where coastal state Members of Congress were invited to testify as to the need for continuing leasing moratoria off various coastlines versus the likelihood of discovery of additional hydrocarbon reserves and the potential impacts of their development.

**Onshore Federal Oil and Gas Initiatives:** The Subcommittee will continue to investigate the Department of the Interiors progress on a proposal to transfer BLMs oil and gas inspection and enforcement functions to the States. The States have current programs which duplicate these functions and are anxious to assume these duties. Through the efforts of the Interstate Oil and Gas Compact Commission, the States fully support this proposal with appropriate funding. Following two hearings on this issue in the 104th Congress, the Subcommittee will likely invite the Federal and State government agencies to bring us up to date on the status of the transfer negotiations.

The Subcommittee monitored continuing discussions between the Interstate Oil and Gas Compact Commission on behalf of the oil-producing states and the BLM to attempt to find consensus on the regulatory activities which could be administratively transferred from Federal jurisdiction to a state. No such agreement was had by adjournment. A bill to guide transfer efforts may be introduced in the 106th Congress.

**Royalty-In-Kind/Valuation:** The Subcommittee will pursue oversight of MMS ability to collect royalties "in-kind" as opposed to the cash value as is currently paid. The cumbersome and costly collection procedures associated with collecting the governments share of revenue from production on Federal leases could be drastically reduced if MMS were to take their royalty-in-kind (R-I-K). Using the R-I-K collection method would eliminate the controversial "valuation" issues surrounding the complicated oil and gas production and transportation systems. MMS conducted a one-year pilot program for gas only in the Gulf of Mexico. The FY 1997 Interior Appropriations legislation included instructions to the director of MMS to conduct further pilot studies. The Subcommittee will oversee MMS initiation of these programs and the progress on its proposed crude oil valuation regulations and evaluate its effectiveness.

The Subcommittee held an oversight hearing on this issue on July 31, 1997, and followed up on September 18, 1997, (Printed Hearing 105-41). The information gained led to the introduction of the Royalty Enhancement Act of 1998 (H.R. 3334) which attempted to mandate a broad-based oil and gas royalty-in-kind program by the United States in an effort to both equitably settle valuation disputes and enhance revenues to the states and Federal Treasury by gaining the "uplift" in the value of royalty oil and

gas marketed downstream from the wellhead, as opposed to the current practice of receiving royalty-in-value at the wellhead.

**U.S. Geological Survey Reorganization:**The Subcommittee is planning oversight of the USGSs reorganization and its ability to meet its mission, especially regarding mineral resources and the traditional role of the Federal survey to provide objective scientific data for land use decisions and the Nations economic development. The Subcommittee is interested in the Administrations mission for the Biological Research Division with respect to the "geosciences" mission, particularly with likely smaller budgets in the future. The Subcommittee will pay close attention to how USGS restores its reputation for doing objective science in the wake of the "unsanctioned" USGS Ward Valley hydrology report which prompted Interior Secretary Bruce Babbitt to seek National Academy of Sciences peer review of the official USGS study (and oppose transfer of the BLM land to California), as well as allegations that the Arctic National Wildlife Refuge (ANWR) oil and gas estimates were reduced for "political science" reasons.

The Subcommittee monitored the USGS organizational status in the wake of the FY 1999 budget hearing while the agency was led by an acting director. Subcommittee Chairman Cubin will be meeting soon with the newly confirmed Director, Dr. Charles Groat, about this matter.

**Disposition of Other Federal Minerals:**The so-called fertilizer minerals, trona (a sodium carbonate mineral), phosphate and potash are produced from Federal leases in California, Colorado, Wyoming, Idaho and New Mexico. An oversight hearing will examine a number of associated issues including possible conflict between oil and gas production and potash development and oil and gas production and trona development. In addition, the Subcommittee may examine valuation methodology for these commodities.

The Subcommittee corresponded with the MMS regarding the manner in which sodium (trona) lease production is valued for royalty purposes. The Subcommittee is monitoring an agreement for a study of the impacts on trona mine development by natural gas drilling in the Green River Basin of Wyoming, and is likewise monitoring the outcome of an appeal by oil lessees of a BLM decision regarding a potash leasing conflict in the Delaware Basin of New Mexico.

**Compensation for Land Exchanges:**The Subcommittee will evaluate the substantial value of public resources traded to meet the Presidents environmental agenda, i.e. Utahs Grand Staircase-Escalante National Monument designation, Californias Headwaters Forest acquisition, and Montanas New World Project mining land exchange. The Subcommittee may hold an oversight hearing on the Secretarys ability to trade mineral rights that are subject to the Federal Land Policy and Management Act and other relevant Federal statutes.

The budget agreement of May 1997 obviated the Administrations plans for asset sales (mineral rights transfers) to pay for these high-profile land acquisitions. As a result, the Subcommittee held an oversight hearing on May 20, 1997 (Printed Hearing 105-40) regarding the expenditure of Land and Water Conservation Funds for the acquisition of private property rights in the New World mining district near Yellowstone National Park potentially threatening park values.

**U.S. Geological Survey Mapping and Data Programs:**The USGS is often criticized for failing to update maps and other data in a timely manner and for taking an excessive amount of time to publish the results

of its research. During the last decade, great advances have been made in geographic information science, and application of some of this new technology to USGS programs would potentially improve the quality of the database and shorten the time required before publication, all at a lower cost. The Subcommittee will hold two hearings to examine this issue. One will be concerned with identifying the type, quality, and quantity of government geographic data needed and the other will identify useful new technologies and how they may be applied to USGS programs to achieve more timely dissemination of higher quality data at lower costs.

The Subcommittee held no hearings on this issue, but did monitor the progress and results of a National Academy of Public Administration study (Geographic Information for the 21st Century on the needs for and ability of the BLM, USGS, USFS and the National Ocean Service to produce digital map products for the Nation, and opportunities for efficiencies in consolidation of these activities. Additional Oversight Hearings Held

**Abuse of Power: The Hardrock Bonding Rule:** In February 1997, the BLM published a "Final Rule on Hardrock Bonding" which amended its surface management regulations under the Federal Land Management Policy Act (FLPMA). The Subcommittee on Energy and Mineral Resources undertook its oversight responsibility after concluding that the new rule might not have been adopted according to law. Oversight hearings on this rule were held by the Subcommittee on March 20, 1997, and on June 19, 1997.

The Department of the Interior (DOI) attempted to prevent and obstruct the Subcommittee from carrying out its oversight responsibilities by withholding key documents. Some records were produced by DOI pursuant to the Subcommittee's request, but many documents were withheld from the Subcommittee under a prospective claim of "privilege." DOI also tried to impose rules and conditions under which the Subcommittee could have access to documents. After these tactics continued for more than three months, the Resources Committee subpoenaed the documents. As a result of DOI's drawn-out string of dilatory tactics to prevent and obstruct the Congress from carrying out its Constitutional oversight responsibilities, Chairman Don Young and Chairman Barbara Cubin directed that a Committee report on the DOI rule-making be prepared.

The Committee approved this report, **Abuse of Power: The Hardrock Bonding Rule**, which analyzes the subpoenaed documents and concludes DOI actions constitute a coordinated effort by high level DOI political appointees to affirmatively mischaracterize the import and impact of the hardrock bonding rule. The report also found that DOI political appointees:

- (1) unduly interfered in the BLM rule-making;
- (2) ignored laws, such as the Administrative Procedure Act and the Regulatory Flexibility Act, that govern the rule-making process; and
- (3) obstructed the impartiality of the rule-making process by excluding interested parties from participating in the rule-making process in a meaningful way.

The Subcommittee's oversight activities clearly demonstrated that DOI did not comply with requirements of the Administrative Procedure Act or the Regulatory Flexibility Act in making the hardrock bonding regulation. DOI also concealed the fact that the bonding regulation was a significant rule, enabling the Department to evade a higher standard of scrutiny and avoid considering any alternatives to the new bonding rule. B. Hearings



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March 4, 1997Oversight hearing held on the FY 1998 budget for USGS and MMS Printed Hearing 105-9

March 20, 1997Oversight hearing held on Bureau of Land Management final rulemaking on bonding of hardrock mining operations. Why was there no meaningful public comment solicited? Printed Hearing 105-8

May 20, 1997Oversight hearing held on the proposed buyout of the New World Mine project in Montana. Printed Hearing 105-40

June 19, 1997Oversight hearing held on the final bonding rule for hardrock mining operations on BLM-administered public lands (follow-up to the hearing on March 20, 1997. Printed Hearing 105-24

June 30, 1997Oversight field hearing held in Casper, Wyoming, on Bureau of Land Managements oil and gas regulations regarding access and permitting issues. Printed Hearing 105-50

July 31, 1997Oversight hearing held on Royalty-In-Kind for Federal oil and gas production. Printed Hearing 105-41

September 18, 1997Oversight hearing held on the Federal government collecting oil and gas royalties-in-kind (follow-up from July 31, 1997 hearing). Printed Hearing 105-41

September 22, 1997Oversight field hearing in Elko, Nevada, on Hardrock mining issues. Printed Hearing 105-53

February 26, 1998Oversight hearing held on the Presidents FY 1999 Budget request for Office of Surface Mining, Minerals Management Service, and the Energy and Minerals programs of the Bureau of Land Management. Printed Hearing 105-74

May 14, 1998Oversight hearing held on Outer Continental Shelf Oil and Gas Leasing. Printed Hearing 105-87

#### V. subcommittee statistics

Total number of bills and resolutions referred- 52

Total number of bills reported from subcommittee- 2

Total number of bills reported from full committee- 6

Total number of bills passed by the House- 8

Total number of bills enacted into law- 8

#### Public Hearings and Markups:

Legislative- 4

Oversight- 10

Markup sessions- 2

Total number of subcommittee meetings (days)- 15

## Subcommittee on Water and Power

## I. introduction

During the 105th Congress the Subcommittee on Water and Power Resources pursued legislation and held numerous hearings regarding the appropriate role of the Federal Government in many of the major water and public power projects throughout the United States. Consensus legislation was crafted, and later passed to transfer selected Federal water facilities to local entities, thus furthering the goal of a more efficient, smaller Federal Government. Additionally, the Subcommittee continued its oversight of the Bureau of Reclamation and Power Marketing Administrations.

## ii. jurisdiction

(1) Generation and marketing of electric power from Federal water projects by Federally chartered or Federal regional power marketing authorities.

(2) All measures and matters concerning water resources planning conducted pursuant to the Water Resources Planning Act, water resource research and development programs and saline water research and development.

(3) Compacts relating to the use and apportionment of interstate waters, water rights and major interbasin water or power movement programs.

(4) All measures and matters pertaining to irrigation and reclamation projects and other water resources development programs, including policies and procedures.

(5) General and continuing oversight and investigative authority over activities, policies and programs within the jurisdiction of the Subcommittee.

## iii. legislative activitiesA. Legislative hearings and markups

June 24, 1997Hearing held on H.R. 134, to authorize the Secretary of the Interior to provide a loan guarantee to the Olivenhain Water Storage Project, and for other purposes; and H.R. 1400, to authorize the Secretary of the Interior, acting through the Bureau of Reclamation, to participate in a water conservation project with the Tumalo Irrigation District in the State of Oregon.

July 29, 1997Hearing held on H.R. 2007, to amend the Act that authorized the Canadian River reclamation project, Texas, to direct the Secretary of the Interior to allow use of the project distribution system to transport water from sources other than the project.

Markup held on H.R. 2007, to amend the Act that authorized the Canadian River reclamation project, Texas, to direct the Secretary of the Interior to allow use of the project distribution system to transport water from sources other than the project; and H.R. 134, to authorize the Secretary of the Interior to provide a loan guarantee to the Olivenhain Water Storage Project, and for other purposes.

September 11, 1997Hearing held on H.R. 2398, the Small Reclamation Water Resources Project Act of 1997.

Markup held on H.R. 2402, the Reclamation Technical Corrections Act of 1997; and H.R. 1400, the Tumalo Irrigation District Water Conservation Project Authorization Act.

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March 12, 1998 hearing held on H.R. 2367, Sonny Bono Memorial Salton Sea Reclamation Act. Printed Hearing 105-77

March 26, 1998 markup held on H.R. 3267, Sonny Bono Memorial Salton Sea Reclamation Act.

April 30, 1998 Hearing held on H.R. 1282, to authorize the Secretary of the Interior to convey certain facilities of the Minidoka project to the Burley Irrigation District; H.R. 1943, Carlsbad Irrigation Project Acquired Land Transfer Act; H.R. 2161, to direct the Secretary of the Interior to convey the Palmetto Bend Project to the State of Texas; H.R. 2506, Collbran Project Unit Conveyance Act; H.R. 3056, to provide for the preservation and sustainability of the family farm through the transfer of responsibility for operation and maintenance of the Flathead Indian Irrigation Project, Montana; H.R. 3677, to authorize and direct the Secretary of the Interior to convey certain works, facilities, and titles of the Gila Project, and Designated Lands within or adjacent to the Gila Project, to the Welton-Mohawk Irrigation and Drainage District; H.R. 3687, to authorize prepayment of amounts due under a water reclamation project contract for the Canadian River Project, Texas; H.R. 3706, Clear Creek Distribution System Conveyance Act; and H.R. 3715, Pine River Project, Colorado.

May 19, 1998 hearing held on H.R. 1212, Fall River Water Users District Rural Water System Act.

June 18, 1998 hearing held on H.R. 1688, Lewis and Clark Rural Water System Act of 1997; H.R. 2108, Dutch John Federal Property Disposition and Assistance Act of 1997; and H.R. 2306, Fort Peck Reservation Rural Water System Act of 1997.

June 25, 1998 hearing held on H.R. 4111, to provide for outlet modifications to Folsom Dam, a study for reconstruction of the Northfork American River Cofferdam, and the transfer to the State of California all right, title, and interest in and to the Auburn Dam.

Markup held on H.R. 1282, to authorize the Secretary of the Interior to convey certain facilities of the Minidoka project to the Burley Irrigation District; H.R. 1943, Carlsbad Irrigation Project Acquired Land Transfer Act; H.R. 3056, to provide for the preservation and sustainability of the family farm through the transfer of responsibility for operation and maintenance of the Flathead Indian Irrigation Project, Montana; H.R. 3687, to authorize prepayment of amounts due under a water reclamation project contract for the Canadian River Project, Texas; H.R. 4048, Sly Park Unit Conveyance Act; and H.R. 4111, to provide for outlet modifications to Folsom Dam, a study for reconstruction of the Northfork American River Cofferdam, and the transfer to the State of California all right, title, and interest in and to the Auburn Dam.

July 16, 1998 markup held on H.R. 2161, to direct the Secretary of the Interior to convey the Palmetto Bend Project to the State of Texas; H.R. 3677, to authorize and direct the Secretary of the Interior to convey certain works, facilities, and titles of the Gila Project, and Designated Lands within or adjacent to the Gila project, to the Welton-Mohawk Irrigation and Drainage District; H.R. 3706, Clear Creek Distribution System Conveyance Act; and H.R. 3715, Pine River Project, Colorado.

July 28, 1998 hearing held on H.R. 3478, to amend the Colorado Ute Indian Water Rights Settlement Act to provide for a final settlement of the claims of the Colorado Ute Indian Tribes; and H.R. 745, to deauthorize the Animas-La Plata Federal Reclamation Project, and to direct the Secretary of the Interior to enter into negotiations to satisfy, in a manner consistent with all Federal laws, the water rights interests of the Ute Mountain Ute Indian Tribe and the Southern Ute Indian Tribe. Printed Hearing 105-103

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September 23, 1998 hearing held on H.R. 3658, to provide for the settlement of the water rights claims of the Chippewa Cree Tribe of the Rocky Boys Reservation. Printed Hearing 105-112

September 29, 1998 hearing held on H.R. 1213, to authorize the construction of the Perkins County Rural Water System and authorize the appropriations of Federal dollars to assist the Perkins County Rural Water System, Inc., a nonprofit corporation in the planning and construction of the water supply system. B. Legislation enacted

H.R. 63, designates the reservoir created by Trinity Dam in the Central Valley Project, California, as "Trinity Lake". (Public Law 105-44)

H.R. 412, approves a settlement agreement between the Bureau of Reclamation and the Oroville-Tonasket Irrigation District. (Public Law 105-9)

H.R. 2355, extends the repayment periods for the repayment for Nueces River reclamation project. (enacted as part of Public Law 105-174)

H.R. 2795, extends certain contracts between the Bureau of Reclamation and irrigation water contractors in Wyoming and Nebraska that receive water from Glendo Reservoir. (Public Law 105-293)

H.R. 3035, establishes an advisory commission to provide advice and recommendations on the creation of an integrated, coordinated Federal policy designed to prepare for and respond to serious drought emergencies. (Public Law 105-194)

H.R. 3267, directs the Secretary of the Interior, acting through the Bureau of Reclamation, to conduct a feasibility study and construct a project to reclaim the Salton Sea. (Public Law 105-372)

H.R. 3687, authorizes prepayment of amounts due under a water reclamation project contract for the Canadian River Project, Texas. (Public Law 105-316)

H.R. 3964, authorizes the Secretary of the Interior to participate in the design, planning, and construction of the Willow Lake Natural Treatment System Project for the reclamation and reuse of water, and for other purposes. (enacted as part of Public Law 105-321)

H.R. 4079, authorizes the construction of temperature control devices at Folsom Dam in California. (Public Law 105-295)

S. 744, authorize the construction of the Fall River Water Users District Rural Water System and authorize financial assistance to the Fall River Water Users District, a non-profit corporation, in the planning and construction of the water supply system, and for other purposes. (Public Law 105-352)

S. 2041, authorizes the Secretary of the Interior to participate in the design, planning, and construction of the Willow Lake Natural Treatment System Project for the reclamation and reuse of water, and for other purposes. (enacted as part of Public Law 105-321) C. Legislation passed House

H.R. 2007 (H. Rept. 105-279), to amend the Act that authorized the Canadian River reclamation project, Texas, to direct the Secretary of the Interior to allow use of the project distribution system to transport water from sources other than the project. (See H.R. 2402 for further action)

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H.R. 2402 (H. Rept. 105-353), to make technical and clarifying amendments to improve management of water-related facilities in the Western United States.

S. 2117, to authorize the construction of the Perkins County Rural Water System and authorize financial assistance to the Perkins County Rural Water System, Inc., a nonprofit corporation, in the planning and construction of the water supply system, and for other purposes. -D. Legislation ordered reported by the full committee

H.R. 134 (H. Rept. 105-327), to authorize the Secretary of the Interior to provide a loan guarantee to the Olivenhain Water Storage Project, and for other purposes. (See H.R. 2402 for further action)

H.R. 2108 (H. Rept. 105-714), to dispose of certain Federal properties located in Dutch John, Utah, and to assist the local government in the interim delivery of basic services to the Dutch John community, and for other purposes. (See S. 890 for further action)

H.R. 3056 (H. Rept. 105-812), to provide for the preservation and sustainability of the family farm through the transfer of responsibility for operation and maintenance of the Flathead Indian Irrigation Project, Montana.

H.R. 4111 (H. Rept. 105-811), to provide for outlet modifications to Folsom Dam, a study for reconstruction of the Northfork American River Cofferdam, and the transfer to the State of California all right, title, and interest in and to the Auburn Dam, and for other purposes.

H.R. 4223 (H. Rept. 105-813), to assist in the development and implementation of projects to provide for the control of drainage, storm, flood and other waters as part of water-related integrated resource management, environmental infrastructure, and resource protection and development projects in the Colusa Basin Watershed, California.E. Legislation marked up at subcommittee

H.R. 1400, to authorize the Secretary of the Interior, acting through the Bureau of Reclamation, to participate in a water conservation project with the Tumalo Irrigation District in the State of Oregon. -

H.R. 1943, to convey certain real property within the Carlsbad Project in New Mexico to the Carlsbad Irrigation District. (See H.R. 4389 for further action)

H.R. 2161, to direct the Secretary of the Interior to convey the Palmetto Bend Project to the State of Texas. (See H.R. 4389 for further action)

H.R. 3677, to authorize and direct the Secretary of the Interior to convey certain works, facilities, and titles of the Gila Project, and Designated Lands within or adjacent to the Gila Project, to the Wellton-Mohawk Irrigation and Drainage District, and for other purposes. (See H.R. 4389 for further action)

H.R. 3706, to authorize the Secretary of the Interior to implement the provisions of the Agreement conveying title to a Distribution System from the United States to the Clear Creek Community Services District. (See H.R. 4389 for further action)

H.R. 3715, to authorize the Secretary of the Interior to convey the facilities of the Pine River Project, to allow jurisdictional transfer of lands between the Department of Agriculture, Forest Service, and the Department of the Interior, Bureau of Reclamation, and the Bureau of Indian Affairs, and for other purposes. (See H.R. 4389 for further action)

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H.R. 4048, to convey the Sly Park Dam and Reservoir to the El Dorado Irrigation District, and for other purposes. (See H.R. 4389 for further action)

iv. oversight activities of the subcommittee on water and powerA. Introduction

**Budget Overview:**The Subcommittee will hold a hearing each year on that portion of the Presidents budget proposal falling within its jurisdiction.

n March 4, 1998, the Subcommittee on Water and Power held an oversight hearing on the Presidents proposed FY 1998 budget request for the Bureau of Reclamation, the Central Utah Project, and the Water Resources Division of the U.S. Geological Survey and the Power Marketing Administrations.

**Water Technology Development:**The Subcommittee will hold hearings on various aspects of water technology development which affect Federal water management, reclamation activities, and how to assist the States in water resource planning.

ongress passed the National Drought Policy Act of 1997 (H.R. 3035) that creates a national program designed to help prepare for serious drought emergencies. Furthermore, the Subcommittee held a hearing, and Congress later passed legislation to address technology development for the Salton Sea Restoration project in California. Additionally, Congress passed H.R. 4079 to authorize the construction of temperature control devices at Folsom Dam in California for the benefit of fall-run chinook salmon and steelhead trout in the American River, California. The Subcommittee continued its participation in briefings and events concerning reverse osmosis, desalination, and hydrology prediction.Bureau of Reclamation

**Central Valley Project Improvement Act Implementation:**The Subcommittee will continue to review actions taken by Federal and State agencies to implement the various provisions of the Central Valley Project Improvement Act (CVPIA), that was enacted in 1992. Legislative proposals to amend the CVPIA will be considered.

hearing was held in Fresno, California, that continued the series of oversight efforts concerning the 1992 law that radically altered the operations of the California Central Valley Project. Implementation of the law has caused significant hardships throughout the Central Valley, with environmentalists, farmers, and municipal water providers upset at the Administration for its mismanagement of the program and the environmental trust fund that was established under the law.

**Oroville-Tonasket Irrigation District:**The Subcommittee may mark up legislation to implement the pending settlement between the Oroville-Tonasket Irrigation District and the Department of the Interior. Oversight will be needed regarding the settlement.

ongress passed H.R. 412 that approved a settlement agreement between the Bureau of Reclamation and the Oroville-Tonasket Irrigation District over disputes arising from the construction of the Oroville-Tonasket Unit Extension. Implementation of the settlement agreement includes transfer of the title to the Oroville-Tonasket Unit Extension Project Irrigation Works to the District.

**Garrison Diversion:**The Subcommittee will review the status of the Garrison Diversion Unit and consider new proposals relating to water supply management in North Dakota. Oversight hearings, including

possible field hearings, will be held. Legislation, if necessary, will be considered by the Subcommittee during the second session.

n September 29, 1998, the Subcommittee held an oversight hearing on the Garrison Unit Reformulation. Along with hearing the various alternatives to the original Garrison Diversion project, the hearing addressed some of the issues raised by the Canadians and bordering states to North Dakota who would like to see more studies done prior to any project being funded.

**California Bay-Delta Funding:**The Subcommittee will examine the Administrations funding request for those funds authorized in the 104th Congress to carry out restoration activities in Californias Sacramento-San Joaquin Bay-Delta, since the 1996 authorization did not specify how Federal funds were to be allocated among the various Federal agencies. The Subcommittee will also investigate how Federal programs and expenditures are being coordinated with State funding for the Bay-Delta area. State funding for such restoration activities and other water-related activities was approved by the California Legislature and by voter referendum in 1996.

The Subcommittee held two relevant oversight hearings during the 105th Congress. They were held on April 17, 1997, and on May 12, 1998. These hearings reviewed this new program and provided oversight to ensure the efficient development of a long-term comprehensive plan to restore ecological health and improve water management in the Bay-Delta system in coastal California while honoring the water rights and private property rights of residents. The oversight hearings have highlighted a lack of goal setting and measurements to evaluate the success of the \$1 billion+ program.

Phase I of the Bay-Delta Program resulted in the development of three possible comprehensive solutions to Bay-Delta problems. At this time, capital costs for the three alternatives developed in Phase I are estimated to range from \$4 billion to more than \$8 billion, an amount to be paid over 20 years.

**Central Arizona Project:**The Subcommittee will review the status of the Central Arizona Project (CAP), and the financial and management practices of the Bureau of Reclamation as they relate to CAP. The Subcommittee will also investigate the breakdown of negotiations between the parties to restructure the projects debt.

Due to the ongoing litigation within the State of Arizona over this project the Subcommittee did not hold any oversight hearings on the CAP. However, the Subcommittee remained involved through ongoing briefings.

**Bureau of Reclamation Project Transfers:**The Subcommittee will review the status of the Administrations initiative to transfer Bureau of Reclamation facilities out of Federal ownership. Specific attention will be directed to case studies where project beneficiaries are seeking such title transfers. Field hearings will be held in several locations.

The Resources Committee passed a number of bills transferring the ownership of Bureau of Reclamation projects and facilities to local entities who are in a better position to take responsibility for them. In taking these facilities off the Federal books, these transfers also represent real budget savings for the future. These transfers will help shrink the size and budget of the Federal Government, and help us manage our water resources in a more efficient way. The transfers approved by the Resources Committee include:

Oroville-Tonasket Irrigation District (H.R. 412), Washington

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Burley Irrigation District (H.R. 1282), Idaho

Canadian River Project (H.R. 3687), Texas

Dutch John Privatization (H.R. 2108), Utah

Pine River Project Conveyance Act (H.R. 2142), Colorado

Wellton-Mohawk Transfer Act (H.R. 3677), Arizona

Eldorado Irrigation District (H.R. 4389), California

Clear Creek Distribution System Conveyance (H.R. 3706), California

Carlsbad Irrigation District (H.R. 1943), New Mexico

Palmetto Bend Project (H.R. 2161), Texas

**Oversight of Colorado River Operations:**The Subcommittee will hold hearings on the operation of the Colorado River, and its impact on the States in both the Upper and Lower basins.

The Subcommittee held several hearings that addressed issues associated with the Lower Colorado River operations. On October 3, 1997, and March 12, 1998, the Subcommittee held hearings that focused on the Salton Sea and Colorado River Allocations. Additionally, the Subcommittee considered agriculture return flows and salinity levels in the lower Colorado River on April 30, 1998, and the role of the desalination plant in the lower Colorado River Basin.

**Reclamation Reform Act Rules and Regulations:**As required by the negotiated settlement to litigation, the Bureau of Reclamation recently promulgated new rules and regulations to implement the 1982 Reclamation Reform Act (RRA) on a West-wide basis. The Subcommittee will continue to monitor the enforcement of these rules by the various regional offices of the Bureau. The Subcommittee will also examine closely a related proposed rulemaking on the treatment of trusts, as that rulemaking moves forward.

The Subcommittee passed H.R. 2402 to authorize the refund of monies overpaid under the RRA. Additionally, the Subcommittee was briefed by the Administration on the enforcement of the RRA. During the winter of 1998, the Administration will complete its new rulemaking.

**Bureau of Reclamation Contracting Policies:**The Subcommittee will evaluate the Administrations policies concerning water service contracts and operations and maintenance contracts between the Bureau of Reclamation and various water districts. The Subcommittee will examine the extent to which Reclamation is using contract renewals in an effort to reallocate water for other uses in light of State supremacy in the allocation of water rights.

The Committee monitored the Government Performance and Results Act compliance by the Bureau of Reclamation; U.S. Geological Survey Water Resource Division; and the Department of Energy Power Marketing Administrations. On July 17, 1997, the Subcommittee focused on Bureau of Reclamation project financing. The purpose of this new law is to ensure that government works efficiently to meets the needs of its citizens.



**Western Water Policy Review Advisory Commission Report:**The Western Water Policy Review Advisory Commission is scheduled to release a report on western water resource issues and problems in October 1997. A hearing will be held on the recommendations in the report which affect Federal agencies under the Subcommittees jurisdiction.

On April 3, 1998, Chairman Don Young wrote a strong letter of opposition to the report and to many of the supporting documents prepared for the Commission that are heavily referenced throughout it. The opposition mainly focused on the tone of the report against irrigated agriculture and commodity production. Furthermore, the report failed to respect state water law, and advocated a significant expansion of the Federal role in watershed management.

**Truckee River Issues:**The Subcommittee will monitor the cumulative environmental impacts of implementation of the 1990 Truckee-Carson-Pyramid Lake Water Rights Settlement Act on the Lahontan Valley area in Nevada. The Subcommittee will also examine the impacts of the Act on irrigators who are dependent on Bureau of Reclamation facilities in the area for their water supply.

The Subcommittee met with the interested parties and was briefed on the developments.Department of Energy Power Marketing Administrations

**Cost Recovery by the Federal Power Marketing Administrations:**The Subcommittee will review proposals to improve the management of the Department of Energys power marketing administrations (PMAs), which market the electrical power produced at Federal hydroelectric facilities. The Subcommittee will be particularly involved in proposals to ensure full cost recovery, aimed at correcting the revenue shortfalls identified by the Subcommittee and the General Accounting Office (GAO).

The Subcommittee has instigated an investigation with the GAO to determine how the Federal Government is maintaining and operating its Federal power generation facilities. In 1996 the Committee discovered through a GAO investigation that many of the Federal hydropower facilities operated in the southeast were falling into disrepair or being mismanaged. The current inquiry attempts to provide that information for a broader segment of the system. In addition, it looks at the ability of the Federal government to operate those facilities and market the power in light of the rapidly evolving national electric industry.

**The Comprehensive Review of the Northwest Energy System:**The Subcommittee will hold hearings on the December 1996 Comprehensive Review of the Northwest Energy System, which was prepared at the request of the Northwest Governors. The central theme of the review concerns the management and restructuring of the Bonneville Power Administration. Hearings are anticipated in both sessions of the 105th Congress.

The Subcommittee held a hearing on June 12, 1997, that addressed the rapidly evolving national electricity restructuring and the particular process being undertaken in the Pacific Northwest. The Subcommittee remains actively involved in policy discussions with the Pacific Northwest delegation.

**Proposals to Reduce Power Marketed by the Bonneville Power Administration:**There are several proposals to reoperate John Day Dam on the Columbia, in an effort to enhance juvenile salmon migration on the Columbia River. The Subcommittee will examine the impact of these various proposals on hydropower production at the Dam, and will scrutinize the science on which these proposals are based.

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The Subcommittee held an oversight field hearing on this issue in Lewiston, Idaho, on May 31, 1997.

**Operation and Maintenance of Facilities That Generate Power Marketed by the Federal Power Marketing Administrations:**The Subcommittee will review proposals designed to ensure that adequate funding is allocated to, and spent for, the operation and maintenance of facilities that generate the power marketed by the PMAs.

The Subcommittee instigated an investigation with the General Accounting Office to determine how the Federal Government is maintaining and operating its Federal power generation facilities. In 1996 the Committee discovered through a GAO investigation that many of the Federal hydropower facilities operated in the southeast were falling into disrepair or being mismanaged. The current inquiry attempts to provide that information for a broader segment of the system. In addition, it looks at the ability of the Federal government to operate those facilities and market the power in light of the rapidly evolving national electric industry. U.S. Geological Survey Water Resources Division

**Program Management Within the Water Resources Division of the U.S. Geological Survey:**The Subcommittee will review the programs within the Water Resources Division to determine if there are areas where better coordination can be encouraged with other State and Federal agencies. The Subcommittee will also be reviewing areas where State or university entities can supplement U.S. Geological Survey activity.

The Subcommittee worked with appropriation subcommittees to strengthen State academic involvement in this area. B. Hearings

March 4, 1997 Oversight hearing held on the FY 1998 budget for the Bureau of Reclamation, Power Marketing Administration on the Water Resource Division of the USGS.

March 20, 1997 Oversight hearing held on Central Valley Project Operations and Administration Reform Process. Printed Hearing 105-21

April 17, 1997 Oversight hearing held on Federal participation in the CALFED Program. Printed Hearing 105-17

May 6, 1997 Oversight hearing held on the Bureau of Reclamation Project financing. Printed Hearing 105-31

May 31, 1997 Oversight field hearing held in Lewiston, Idaho, on the Columbia/Snake River draw down proposals. Printed Hearing 105-32

June 12, 1997 Oversight hearing held on the Bonneville Power Administration, Status of Regional Review Process.

July 17, 1997 Oversight hearing held on Government Performance and Results Act status Bureau of Reclamation, USGS, Water Resources and the Power Marketing Administration. Printed Hearing 105-46

September 23, 1997 Joint oversight hearing with Subcommittee on National Parks and Public Lands on the proposal to drain Lake Powell or reduce its water storage capability. Printed Hearing 105-56

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October 3, 1997Oversight field hearing held in Palm Desert, California, on potential solutions to the water quality and water level problems at the Salton Sea. Printed Hearing 105-60

October 30, 1997Oversight hearing held on the Water Management Implications of the 1997/98 El Niño. Printed Hearing 105-58

April 15, 1998Oversight field hearing held in Fresno, California, on Central Valley Project Implementation Act.

May 12, 1998Oversight hearing held on CALFED. Printed Hearing 105-83

May 27, 1998Oversight field hearing held in Sacramento, California, on Proposed Modifications of Folsom Dam. Printed Hearing 105-93

September 29, 1998Oversight hearing held on which alternatives should be pursued concerning the Garrison Unit Reformulation. Public Hearing 105-114

## V. Subcommittee Statistics

Total number of bills and resolutions referred 67

Total number of bills reported from subcommittee 15

Total number of bills reported from full committee 13

Total number of bills passed by the House 11

Total number of bills enacted into law 11

## Public Hearings and Markups:

Legislative- 11

Oversight 14

Markup sessions 5

Total number of subcommittee meetings (days) 26

## Subcommittee on Forests and Forest Health

### I. Introduction

The 105th Congress introduced the new Forests and Forest Health Subcommittee of the Resources Committee. This Subcommittee has actively moved and passed legislation with the purpose of improving forests health conditions on Federal lands by promoting the active and scientific management of these forests. The Subcommittee worked diligently to build consensus on these issues to help ensure passage of key bills. Eighty three bills were referred to the Subcommittee, 32 hearings (days) were held, 18 forest bills passed the House and 21 have become public law.

### II. Jurisdiction

- (1) Except in Alaska, forest reservations, including management thereof, created from the public domain.
- (2) Except for forest lands in Alaska, public forest lands generally, including measures or matters related to entry, easements, withdrawals and grazing.
- (3) Except in Alaska, Federal reserved water rights on forest reserves.
- (4) Wild and Scenic Rivers System, National Trails System, national heritage areas and other national units established for protection, conservation, preservation or recreational development administered by the Secretary of Agriculture.
- (5) Federal and non-Federal outdoor recreation plans, programs and administration in public forests.
- (6) General and continuing oversight and investigative authority over activities, policies and programs within the jurisdiction of the Subcommittee.

### III. Legislative ActivitiesA. Legislative hearings and markups

March 5, 1997Hearing held on H.R. 858, Quincy Library Group Forest Recovery and Economic Stability Act of 1997. Printed Hearing 105-10

March 20, 1997Hearing held on H.R. 799, to require the Secretary of Agriculture to make a minor adjustment in the exterior boundary of the Hells Canyon Wilderness in the States of Oregon and Idaho to exclude an established Forest Service road inadvertently included in the wilderness; and H.R. 838, to require adoption of a management plan for the Hells Canyon National Recreation Area that allows appropriate use of motorized and nonmotorized river craft in the recreation area, and for other purposes.

April 24, 1997Markup held on H.R. 858, Quincy Library Group Forest Recovery and Economic Stability Act of 1997.

May 6, 1997Hearing held on H.R. 79, to provide for the conveyance of certain land in the Six Rivers National Forest in the State of California for the benefit of the Hoopa Valley Tribe; H.R. 985, to provide for the expansion of the Eagles Nest Wilderness within Arapaho and White River National Forests, Colorado, to include the lands known as the Slate Creek Addition upon the acquisition of the lands by the United States; H.R. 1019, to provide for a boundary adjustment and land conveyance involving the Raggeds Wilderness, White River National Forest, Colorado, to correct the effects of earlier erroneous land surveys; H.R. 1020, to adjust the boundary of the White River National Forest in the State of Colorado to include all National Forest System lands within Summit County, Colorado, which are currently part of the Dillon Ranger District of the Arapaho National Forest; and H.R. 1439, to facilitate the sale of certain land in Tahoe National Forest in the State of California to Placer County, California.

May 8, 1997Markup held on H.R. 79, to provide for the conveyance of certain land in the Six Rivers National Forest in the State of California for the benefit of the Hoopa Valley Tribe; H.R. 985, to provide for the expansion of the Eagles Nest Wilderness within Arapaho and White River National Forests, Colorado, to include the lands known as the Slate Creek Addition upon the acquisition of the lands by the United States; H.R. 1019, to provide for a boundary adjustment and land conveyance involving the Raggeds Wilderness, White River National Forest, Colorado, to correct the effects of earlier erroneous land surveys; H.R. 1020, to adjust the boundary of the White River National Forest in the State of Colorado to include all National Forest System lands within Summit County, Colorado, which are

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currently part of the Dillon Ranger District of the Arapaho National Forest; and H.R. 1439, to facilitate the sale of certain land in Tahoe National Forest in the State of California to Placer County, California.

June 17, 1997Markup held on H.R. 799, to require the Secretary of Agriculture to make a minor adjustment in the exterior boundary of the Hells Canyon Wilderness in the States of Oregon and Idaho to exclude an established Forest Service road inadvertently included in the wilderness; and H.R. 838, to require adoption of a management plan for the Hells Canyon National Recreation Area that allows appropriate use of motorized and nonmotorized river craft in the recreation area, and for other purposes.

July 10, 1997Hearing held on H.R. 1663, to clarify the intent of the Congress in Public Law 93-632 to require the Secretary of Agriculture to continue to provide for the maintenance of 18 concrete dams and weirs that were located in the Emigrant Wilderness at the time the wilderness area was designated as wilderness in that Public Law; and H.R. 1944, to provide for a land exchange involving the Warner Canyon Ski Area and other land in the State of Oregon.

July 22, 1997Hearing held on H.R. 1309, to provide for an exchange of lands with the city of Greeley, Colorado, and The Water Supply and Storage Company to eliminate private inholdings in wilderness areas, and for other purposes; and H.R. 1843, to amend title 31, United States Code, to address the failure to appropriate sufficient funds to make full payments in lieu of taxes under chapter 69 to such title by exempting certain users of the National Forest System from fees imposed in connection with such use.

September 9, 1997Hearing held on H.R. 1739, to amend the Act designating the Boundary Waters Canoe Area Wilderness to clarify certain provisions of law regarding activities authorized within the wilderness areas, and for other purposes; and H.R. 2149, to enhance the conservation and protection of the Boundary Waters Canoe Area Wilderness.

September 18, 1997Hearing held on H. Con. Res. 151, to maximize management of public domain forests to achieve the greatest greenhouse gas reductions. Printed Hearing 105-61

September 23, 1997Hearing held on H.R. 2458, Community Protection and Hazardous Fuels Reduction Act of 1997. Printed Hearing 105-62

September 25, 1997Hearing held on H.R. 434, to provide for the conveyance of small parcels of land in the Carson National Forest and the Santa Fe National Forest, New Mexico, to the village of El Rito and the town of Jemez Springs, New Mexico.

October 7, 1997Markup held on H.R. 1739, to amend the Act designating the Boundary Waters Canoe Area Wilderness to clarify certain provisions of law regarding activities authorized within the wilderness areas, and for other purposes; H.R. 1309, to provide for an exchange of lands with the city of Greeley, Colorado, and The Water Supply and Storage Company to eliminate private inholdings in wilderness areas, and for other purposes; and H.R. 434, to provide for the conveyance of small parcels of land in the Carson National Forest and the Santa Fe National Forest, New Mexico, to the village of El Rito and the town of Jemez Springs, New Mexico.

October 28, 1997Hearing held on H.R. 1659, to provide for the expeditious completion of the acquisition of private mineral interests within the Mount St. Helens National Volcanic Monument mandated by the 1982 Act that established the Monument, and for other purposes; H.R. 2416, to provide for the transfer of certain rights and property to the United States Forest Service in exchange for a payment to the occupant

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of such property, and for other purposes; and H.R. 2574, to consolidate certain mineral interests in the National Grasslands in Billings County, North Dakota, through the exchange of Federal and private mineral interests to enhance land management capabilities and environmental and wildlife protection, and for other purposes.

November 4, 1997Markup held on H.R. 1659, to provide for the expeditious completion of the acquisition of private mineral interests within the Mount St. Helens National Volcanic Monument mandated by the 1982 Act that established the Monument and for other purposes; H.R. 2416, to provide for the transfer of certain rights and property to the United States Forest Service in exchange for a payment to the occupant of such property, and for other purposes; and H.R. 2574, to consolidate certain mineral interests in the National Grasslands in Billings County, North Dakota, through the exchange of Federal and private mineral interests to enhance land management capabilities and environmental and wildlife protection, and for other purposes.

March 5, 1998Markup held on H.R. 2458, Community Protection and Hazardous Fuels Reduction Act of 1997.

March 17, 1998Hearing held on H.R. 3297, to suspend the continued development of a roadless area policy on public domain units and other units of the National Forest System pending adequate public participation and determinations that a roadless area policy will not adversely affect forest health. Printed Hearing 105-72

March 24, 1998Hearing held on H.R. 1021, Miles Land Exchange Act of 1997; H.R. 2886, Granite Watershed Enhancement and Protection Act of 1997; H.R. 3381, Gallatin Land Consolidation Act of 1998; and H.R. 3467, California Spotted Owl Interim Protection Act of 1998.

April 23, 1998Markup held on H.R. 1021, Miles Land Exchange Act of 1997; H.R. 2886, Granite Watershed Enhancement and Protection Act of 1997; H.R. 3381, Gallatin Land Consolidation Act of 1998; and H.R. 3467, California Spotted Owl Interim Protection Act of 1998.

April 28, 1998Hearing held on H.R. 1865, Spanish Peaks Wilderness Act of 1997; H.R. 3186, Rogue River National Forest Interchange Act of 1998; H.R. 3187, to amend the Federal Land Policy and Management Act of 1976 to exempt not-for-profit entities that hold rights-of-way on public lands from certain strict liability requirements imposed in connection with such rights-of-way; and H.R. 3520, to adjust the boundaries of the Lake Chelan National Recreation Area and the adjacent Wenatchee National Forest in the State of Washington.

May 7, 1998Markup held on H.R. 1865, Spanish Peaks Wilderness Act of 1997; H.R. 3186, Rogue River National Forest Interchange Act of 1998; H.R. 3520, to adjust the boundaries of the Lake Chelan National Recreation Area and the adjacent Wenatchee National Forest in the State of Washington; and H.R. 3796, to authorize the Secretary of Agriculture to convey the administrative site for the Rogue River National Forest and use the proceeds for the construction or improvement of offices and support buildings for the Rogue River National Forest and the Bureau of Land Management.

July 21, 1998Hearing held on H.R. 4021, Interstate 90 Land Exchange Act of 1998; and H.R. 4023, to provide for the conveyance of the Forest Service property in Kern County, California, in exchange for county lands suitable for inclusion in Sequoia National Forest.B. Legislation enacted

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H. Con. Res. 332, expressing the sense of Congress regarding the policy of the Forest Service toward recreational shooting and archery ranges on Federal land. (enacted as part of Public Law 105-277)

H.R. 79, provides for the conveyance of certain land in the Six Rivers National Forest in the State of California for the benefit of the Hoopa Valley Tribe. (Public Law 105-79)

H.R. 434, provides for the conveyance of small parcels of land in the Carson National Forest and the Santa Fe National Forest, New Mexico, to the village of El Rito and the town of Jemez Springs, New Mexico. (Public Law 105-224)

H.R. 858, directs the Secretary of Agriculture to conduct a pilot project on designated lands within Plumas, Lassen, and Tahoe National Forests in the State of California to demonstrate the effectiveness of the resource management activities proposed by the Quincy Library Group and to amend current land and resource management plans for these national forests to consider the incorporation of these resource management activities. (enacted as part of Public Law 105-277)

H.R. 1021, provides for a land exchange involving certain National Forest System lands within the Routt National Forest in the State of Colorado. (Public Law 105-288)

H.R. 1439, facilitates the sale of certain land in Tahoe National Forest, in the State of California to Placer County, California. (Public Law 105-208)

H.R. 1659, provides for the expeditious completion of the acquisition of private mineral interests within the Mount St. Helens National Volcanic Monument mandated by the 1982 Act that established the Monument, and for other purposes. (Public Law 105-279)

H.R. 1739, to amend the Act designating the Boundary Waters Canoe Area Wilderness to clarify certain provisions of law regarding activities authorized within the wilderness area, and for other purposes. (enacted as part of Public Law 105-178)

H.R. 1779, a bill to make a minor adjustment in the exterior boundary of the Devils Backbone Wilderness in the Mark Twain National Forest, Missouri, to exclude a small parcel of land containing improvements. (Public Law 105-210)

H.R. 1944, provides for a land exchange involving the Warner Canyon Ski Area and other land in the State of Oregon (Public Law 105-40).

H.R. 2886, provides for a demonstration project in the Stanislaus National Forest, California, under which a private contractor will perform multiple resource management activities for that unit of the National Forest System. (Public Law 105-281)

H.R. 3186, provides for the transfer of administrative jurisdiction over certain public lands in the State of Oregon located within or adjacent to the Rogue River National Forest. (enacted as part of Public Law 105-321)

H.R. 3381, directs the Secretary of Agriculture and the Secretary of the Interior to exchange land and other assets with Big Sky Lumber Co. (Public Law 105-267)

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H.R. 3520, adjusts the boundaries of the Lake Chelan National Recreation Area and the adjacent Wenatchee National Forest in the State of Washington. (Public Law 105-238)

H.R. 3796, authorizes the Secretary of Agriculture to convey the administrative site for the Rogue River National Forest and use the proceeds for the construction or improvement of offices and support buildings for the Rogue River National Forest and the Bureau of Land Management. (Public Law 105-282)

H.R. 4021, provides for the exchange of certain land in the State of Washington. (enacted as part of Public Law 105-277)

H.R. 4320, adjusts the boundaries of the Wasatch-Cache National Forest and Mount Naomi Wilderness in the State of Utah to correct a faulty land survey and to provide for the conveyance of the land that was subject to the faulty survey. (enacted as part of Public Law 105-355)

H.R. 4816, authorizes the acquisition of the Valles Caldera currently managed by the Baca Land and Cattle Company, to provide for an effective land and wildlife management program for this resource within the Department of Agriculture through the private sector, and for other purposes. (enacted as part of Public Law 105-277)

S. Con. Res. 123, expressing the sense of Congress regarding the policy of the Forest Service toward recreational shooting and archery ranges on Federal land. (enacted as part of Public Law 105-277)

S. 750, consolidates certain mineral interests in the National Grasslands in Billings County, North Dakota, through the exchange of Federal and private mineral interests to enhance land management capabilities and environmental and wildlife protection, and for other purposes. (Public Law 105-167)

S. 2513, transfer administrative jurisdiction over certain Federal land located within or adjacent to Rogue River National Forest and to clarify the authority of the Bureau of Land Management to sell and exchange other Federal land in Oregon. (enacted as part of Public Law 105-321)C. Legislation passed House

H.R. 985 (H. Rept. 105-111), to provide for the expansion of the Eagles Nest Wilderness within Arapaho and White River National Forests, Colorado, to include the lands known as the Slate Creek Addition upon the acquisition of the lands by the United States. (See S. 588 for further action)

H.R. 1019 (H. Rept. 105-112), to provide for a boundary adjustment and land conveyance involving the Raggeds Wilderness, White River National Forest, Colorado, to correct the effects of earlier erroneous land surveys. (See S. 589 for further action)

H.R. 1020 (H. Rept. 105-113), to adjust the boundary of the White River National Forest in the State of Colorado to include all National Forest System lands within Summit County, Colorado, which are currently part of the Dillon Ranger District of the Arapaho National Forest. (See S. 591 for further action)

H.R. 1663 (H. Rept. 105-192), to clarify the intent of the Congress in Public Law 93-632 to require the Secretary of Agriculture to continue to provide for the maintenance of 18 concrete dams and weirs that were located in the Emigrant Wilderness at the time the wilderness area was designated as wilderness in that Public Law.

H. Con. Res. 151 (H. Rept. 105-330), expressing the sense of the Congress that the United States should manage its public domain National Forests to maximize the reduction of carbon dioxide in the atmosphere



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among many other objectives and that the United States should serve as an example and as a world leader in actively managing its public domain national forests in a manner that substantially reduces the amount of carbon dioxide added to the atmosphere.D. Legislation ordered reported by the full committee

H.R. 799 (H. Rept. 105-377), to require the Secretary of Agriculture to make a minor adjustment in the exterior boundary of the Hells Canyon Wilderness in the States of Oregon and Idaho to exclude an established Forest Service road inadvertently included in the wilderness.

H.R. 838 (H. Rept. 105-378), to require adoption of a management plan for the Hells Canyon National Recreation Area that allows appropriate use of motorized and nonmotorized river craft in the recreation area, and for other purposes.

H.R. 1309 (H. Rept. 105-489), to provide for an exchange of lands with the city of Greeley, Colorado, and The Water Supply and Storage Company to eliminate private inholdings in wilderness areas, and for other purposes.

H.R. 1567 (H. Rept. 105-814), to provide for the designation of additional wilderness lands in the eastern United States.

H.R. 1865 (H. Rept. 105-673), designate certain lands in the San Isabel National Forest, in Colorado, as the Spanish Peaks Wilderness.

H.R. 2108 (H. Rept. 105-714), to dispose of certain Federal properties located in Dutch John, Utah, and to assist the local government in the interim delivery of basic services to the Dutch John community, and for other purposes. (See S. 890 for further action)

H.R. 2223 (H. Rept. 105-693), to amend the Act popularly known as the Recreation and Public Purposes Act to authorize transfers of certain public lands or national forest lands to local education agencies for use for elementary or secondary schools, including public charter schools, and for other purposes.

H.R. 2416 (H. Rept. 105-516), to provide for the transfer of certain rights and property to the United States Forest Service in exchange for a payment to the occupant of such property, and for other purposes.

H.R. 2574 (H. Rept. 105-471), to consolidate certain mineral interests in the National Grasslands in Billings County, North Dakota, through the exchange of Federal and private mineral interests to enhance land management capabilities and environmental and wildlife protection, and for other purposes. (See S. 750 for further action)

H.R. 3297 (H. Rept. 105-816, Part I), to suspend the continued development of a roadless area policy on public domain units and other units of the National Forest System pending adequate public participation and determinations that a roadless area policy will not adversely affect forest health.

H.R. 4023 (H. Rept. 105-815), to provide for the conveyance of the Forest Service property in Kern County, California, in exchange for county lands suitable for inclusion in Sequoia National Forest.E. Legislation marked up at subcommittee

H.R. 2458, to provide new authority to the Secretary of Agriculture and the Secretary of the Interior to safeguard communities, lives, and property from catastrophic wildfire by eliminating hazardous fuels

buildup, and to undertake other forest management projects to protect noncommodity resources on Federal lands where wildlands abut, or are located in close proximity to, urban areas.

H.R. 3467, to address the protection of the California spotted owl and its habitat in the Sierran Province of Region 5 of the Forest Service through the use of an interim management direction consistent with the requirements of existing public land management and environmental laws and by setting a date certain for the completion of a final environmental impact statement for the management of the California spotted owl.

#### IV. Oversight Activities of the Subcommittee on Forests and Forest HealthA. Introduction

Along with passing legislation, the Subcommittee on Forests and Forest Health also aggressively adhered to its oversight mandate by conducting 30 hearings pertaining to forest health, Forest Service policies and management. The Subcommittee worked diligently to find solutions to the problems and controversies surrounding our national forests and other forest lands. Overall, Subcommittee activity was integral to the national forestry debate working closely with state foresters, conservation organizations, local governments, and citizen groups in efforts to improve the management of our Nations forests.

Examine Administration Commitments Made for Land Exchanges: During the past years, President Clinton committed to a number of major exchanges without designating specifically any lands (or timber sales) to be exchanged. These include: a \$65 million land swap to block a gold mine outside Yellowstone National Park; establishment of the Grand Staircase-Escalante National Monument in Utah to block coal mining and protect 1.8 million acres of Federal land (plus 200,000 acres of state/private land); a \$380 million federal/State swap for "Headwaters Forest," including \$250 million from the U.S. and \$130 million from California; and 225 million board feet of timber for canceled old growth timber sales in the Pacific Northwest. In addition, the Forest Service has estimated it needs over \$50 million to settle court adjudicated claims for other timber sales nationwide. The Subcommittee will work with the Subcommittee on National Parks and Public Lands to evaluate the potential opportunities and costs to fulfill each of the above land exchanges.

The Subcommittee looked into the Administrations commitment to land exchanges during oversight hearings on the Forest Service Budget and assisted the Full Committee in the Budget and Appropriations joint oversight hearing on management of the Forest Service.

Final "1995" Resources Planning Act Program and Presidents Statement of Policy: The Forest Service intends to complete its final Resources Planning Act (RPA) Program for the period 1995-2000 in March or April of 1997. At that time, Congress will have 90 consecutive days to review the Recommended Program and accompanying Presidents Statement of Policy and either approve, reject, or modify the Statement of Policy, as provided by the Resources Planning Act of 1974.

Completion of the 1995 Program was already far behind schedule when the Subcommittee on National Parks, Forests and Lands held an oversight hearing on the Draft Program on February 29, 1996. In response to concerns raised by Subcommittee Members prior to the hearing, on February 27, 1996, Secretary of Agriculture Dan Glickman promised to delay submitting the final RPA Recommended Program to Congress until after the 105th Congress convenes. In March 1996, Agriculture Secretary Dan Glickman also announced that the Forest Service would reopen the comment period on the draft for a 30-day period. The agency completed that process and is now making changes to the draft program.

The Administration presented a draft strategic plan in May 1997 as required by the Government Performance Review Act (GPRA). This plan replaced the Forest Services RPA strategic plan. The Subcommittee reviewed, analyzed and offered comments and criticism during the July 31, 1997, oversight hearing on the Forest Services Strategic Plan under GPRA. The Subcommittee identified problems and made suggestions on how the Forest Service could improve performance and accountability. The Subcommittee plans to remain engaged in the process as the agency prepares a new strategic plan for 2000.

**Forest Service Regulations on Land Management Planning:**The Forest Service has proposed new regulations governing the land management planning process, and a final rule has been held in the Secretary's office for over two years. Agriculture Under Secretary Jim Lyons now says that completion of the final planning rules is a "top priority." When the final rule is released, the Subcommittee should hold a hearing to review the new forest planning regulations. If it appears a rule will not be released, the Subcommittee should proceed with a hearing to evaluate implementation of the current planning rules and whether there is a need for new regulations.

The Administration organized a committee of scientists to develop new rules. The rules have not yet been finalized and released. The Subcommittee plans to hold an oversight hearing once the rules become available.

**Forest Health:**To support the introduction of forest health legislation, the Subcommittee may hold an oversight hearing on forest health issues, focusing on the Southwestern U.S. (In the 104th Congress, the Subcommittee on National Parks, Forests and Lands held a hearing on November 30, 1995, with witnesses from Virginia, Oregon, Idaho and Georgia and the Forest Service Chief). The Subcommittee will request information and testimony from other Forest Service regions regarding the problems resulting from forest overcrowding and increased insect/disease and fire risks.

The continued oversight should support the development and enactment of legislation to remove barriers and provide incentives for management of the national forests to improve forest health. To achieve this goal, the Subcommittee may also hold field hearings.

The Subcommittee held eight oversight hearings with an emphasis on forest health, in addition to legislative hearings addressing specific forest health issues. In addition, the issue of forest health played a large role in the hearings dealing with the Forest Service budget and accountability. The Subcommittee held a field hearing in New Mexico to address forest health concerns found in the Southwest, and two hearings in Washington, D.C., focusing on fire and forest health issues of concern in Florida.

**California Spotted Owl Review:**In August 1996, Secretary of Agriculture Dan Glickman blocked release of a revised draft Environmental Impact Statement (EIS) for management of California Spotted Owl habitat on the day the report was to be released for public comment. In response, Senator Larry Craig (Chairman of the Senate Subcommittee on Forests and Public Land Management) convened a review team of scientists who are currently evaluating the EIS. Meanwhile, Agriculture Under Secretary Jim Lyons initiated efforts to establish a Federal Advisory Committee Act (FACA) review team that will evaluate the draft owl EIS. As a result, the draft EIS remains delayed by agency and Administration officials.

The Subcommittee anticipates a hearing on the findings of the scientific team and on the progress to date of the Secretary's review. Until the owl EIS is completed, the affected forests in California must continue to operate under temporary management guidelines which severely limit forest management opportunities. These interim guidelines were established as short term guidance pending completion of the EIS. They have already been in effect for four years and preclude needed fuel reduction and other forest management activities to reduce the high risk of catastrophic wildfire.

As stated above, Under Secretary of Agriculture Jim Lyons established a Federal Advisory Committee (FACA) and the FACA committee which completed its report on the draft owl EIS. The Forest Service then initiated a Sierra Nevada Framework for conservation and Collaboration to develop a new EIS. The Subcommittee held a field hearing on September 13, 1997, in Sonora, California that focused on the impacts upon forest-dependent communities in California resulting from overly-restrictive interim management guidelines for the California Spotted Owl and reductions in harvest levels. The hearing also addressed the Administration's allegations that the science in the Revised Draft Environmental Impact Statement (RDEIS), drafted to provide direction and replace the interim guidelines, was inadequate.

**Forest Service Decisions Pending at Secretary's Office:** Numerous decisions affecting National Forest management activities have been sent by the Forest Service to the Secretary of Agriculture for approval, where they remain stalled without any action. The Subcommittee will review the Secretary's role in Forest Service decision making and the effect of his involvement on National Forest management and agency accountability to Congress.

The Secretary hired a Chief Operating Officer, Francis Pandolfi, as an attempt to improve Forest Service management and accountability. The Subcommittee held several hearings that focused on management and accountability. For example, on July 31, 1997, the Subcommittee held a hearing to examine the Forest Service's Government Performance and Results Act (GPRA) strategic plan. Under GPRA, all Federal agencies must prepare five-year strategic plans in consultation with Congress and include input from stakeholders and other interested in the plan. The hearing focused on why the Forest Service failed to incorporate Committee concerns in its draft plan and how the agency intends to improve accountability.

The Committees on Budget and Resources and the Appropriations Subcommittee on Interior held a hearing on the management of the U.S. Forest Service on March 26, 1998. The hearing focused on fiscal and administrative mismanagement. The hearing exposed Forest Service inefficiencies and lack of financial and administrative accountability.

**Forest Service Budget:** The Forest Service's budget and accounting methods have been criticized by government officials and the public for a number of reasons. Issues include: accounting of the costs and benefits of Forest Service management programs and activities, "below-cost" sales, funding for Forest Service roads, and funding mechanisms for firefighting and pre-suppression activities.

The Subcommittee should conduct oversight on the Forest Service budget for its land management activities, possibly in joint hearings with the Budget Committee. Recent Inspector General reports and GAO evaluations of the Forest Service budget and accounting methods should be addressed.

On April 17, 1998, the Subcommittee heard from the Under Secretary of Agriculture on what steps the Forest Service had taken to improve fiscal accountability. This hearing addressed issues, concerns and questions regarding the Administration's proposed budget for the Forest Service for FY 1998. The

Subcommittee explored the intent behind the Administrations funding initiatives and the effectiveness of the proposals, reviewed the agencys funding needs, and addressed Members concerns about budget accountability and agency performance. The Administration provided little information on how it expects to monitor performance and ensure accountability.

**Review of Federal Land Management Policies:**After completing oversight on a number of specific land management issues, the Subcommittee should conduct a broad review of current legal authorities and administrative policies guiding management of the National Forest System lands. The Committee should explore conflicting as well as complementary statutory objectives, procedural requirements, and proposals for amending such authorities to clarify, streamline or otherwise modify the statutory direction.

The GAO completed a review for the Subcommittee of the Forest Services decision-making procedures, concluding (in part) that a lack of agreement over the agencys mission and the lack of harmony between the agencys planning requirements and numerous environmental laws have seriously hindered its ability to carry out its statutory mandates. GAO also concluded that statutory changes needed to improve its operations cannot be identified until agreement is reached on the agencys mission priorities. The Subcommittee will continue to work on this critical issue in the 106th Congress.

**Review Status of the Interior Columbia Basin Ecosystem Management Project:**In December 1996, the Forest Service released its scientific findings for the Interior Columbia River Basin, covering Eastern Oregon and Washington, Idaho, and portions of Western Montana, Wyoming, Northern Nevada, and a small portion of California (along the States northern boundary). In June 1997 the Forest Service plans to release for public comment two draft statements covering the assessment area. Both efforts are part of the Interior Columbia Basin Ecosystem Management Project (ICBEMP), scheduled for completion in 1998. The final decision document(s) will amend management direction for all land and resource management plans within the assessment area. The ICBEMP has cost \$33 million, according to Forest Service testimony at an oversight hearing of the Subcommittee on National Parks, Forests and Lands in May 1996.

The Forest Service is already incorporating information from the scientific assessment into project planning documents for individual national forests within the assessment area. The Subcommittee will conduct additional oversight hearings to review how the information is being used by national forests and how the final decision documents will affect individual forest plans.

The Subcommittee held three hearings on ICBEMP. On May 15, 1997, the Subcommittee worked with the Senate Subcommittee on Public Land Management to address concerns over the Forest Service decision making process and whether the legal authorities were consistent under National Forest Management Act (NFMA) and National Environmental Policy Act (NEPA) to conduct such a management projects as ICBEMP. On March 10, 1998, the Subcommittee held a follow-up hearing to address additional concerns with the cost of the study and project implementation; the validity and soundness of the scientific findings of the project; and concerns about the ability of forest managers to implement the project and meet project goals. On April 14, 1998, the Subcommittee held a field hearing in Nampa, Idaho, to hear local concerns with the ICBEMP process. The Interior Department and Related Agencies Appropriations Act of 1999 continued to fund the ICBEMP; however, it stipulated that the agencies involved with ICBEMP must provide a detailed estimation of the time and cost (for all participating Federal agencies) to accomplish each decision.

Review the Forest Inventory and Analysis Program and Its Implications for National Forest Management: The Forest Services Forest Inventory and Analysis program (FIA) has been in place since the early 1950s. This program provides fundamental resource information needed by agency managers and policy makers to make decisions regarding management of the National Forest System lands. There has been little, if any, Congressional review of this program since its early years. The Subcommittee should review the program and assess its effectiveness for agency land managers.

The Subcommittee worked successfully to include language in the Fiscal Year 1999 Omnibus Spending Bill and the Research title of the 1998 Farm Bill to expand FIA to an annualized inventory and increase funding for the program by \$6 billion.

## B. -Hearings

March 18, 1997 Oversight hearing held on Management of our Nations forests and criteria for determining healthy forests. Printed Hearing 105-6

April 8, 1997 Oversight hearing held on livestock grazing policies on public domain National Forests. Printed Hearing 105-19

April 15, 1997 Joint oversight hearing with Subcommittee on National Parks and Public Lands, on implementation of the 1964 Wilderness Act on BLM and Forest Service lands. Printed Hearing 105-13

April 17, 1997 Oversight hearing held on Forest Service budget.

April 29, 1997 Oversight hearing held on Forest Health, Ecology, and Management.

May 15, 1997 Joint oversight hearing, with Senate Committee on Energy and Natural Resources Subcommittee on Forests and Public Land Management, on Interior Columbia Basin Ecosystem Management Project. Printed Hearing 105-38

June 12, 1997 Oversight hearing held on the reintroduction of the grizzly bear in the public domain National Forests. Printed Hearing 105-42

June 24, 1997 Oversight hearing held on Resident Exotic Plants and Pests threatening the health of the National Forests.

July 31, 1997 Oversight hearing held on Forest Service Strategic Plan under the Government Performance and Results Act. Printed Hearing 105-47

September 11, 1997 Oversight hearing held on the affect of international forestry agreements on U.S. Forest Service decision-making.

September 13, 1997 Oversight field hearing in Sonora, California, on management of the Stanislaus National Forest.

September 16, 1997 Oversight hearing on the implications to public domain national forests should a bill to require the appointment of the Chief of the Forest Service by the President, by and with the advice and consent of the Senate be enacted.

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October 23, 1997Oversight hearing held on Recreational Residence Use Fees on National Forest System lands.

February 12, 1998Oversight hearing on Tucson Rod and Gun Club, Arizona.

February 25, 1998Oversight hearing on Clinton-Gore Administrations Forest Service Roadless Area Moratorium (Part I). Printed Hearing 105-72

March 10, 1998Oversight hearing held on Interior Columbia Basin Ecosystem Management Project. Printed Hearing 105-88

March 17, 1998Oversight hearing on follow up on the Clinton-Gores Forest Service Roadless Area Moratorium (Part II) Printed Hearing 105-72

March 19, 1998Oversight hearing held on Impact and Status of Northern Spotted Owl on National Forests. Printed Hearing 105-79

April 14, 1998Oversight field hearing held in Nampa, Idaho, on Interior Columbia Basin Ecosystem Management Project. Printed Hearing 105-88

April 28, 1998Oversight hearing held on a proposal to permit the Forest Service to sell its office in Medford, Oregon, in order to fund an add-on to the Bureau of Land Management Medford District Office so it can co-locate.

May 14, 1998Oversight hearing held on Forest Health in the Rocky Mountain West.

June 23, 1998Oversight hearing held on Forest Service Law Enforcement. Printed Hearing 105-94.

June 25, 1998Oversight hearing held on Forest Service Training.

July 16, 1998Oversight hearing held on Regional Haze. Printed Hearing 105-100

July 30, 1998Oversight hearing held on NEPA parity. Printed Hearing 105-110

August 4, 1998Oversight hearing held on Fire Suppression. Printed Hearing 105-110

August 15, 1998Oversight field hearing held in Espanola, New Mexico, on Forest Service Management of the National Forests in Northern New Mexico. Printed Hearing 105-107

September 15, 1998Oversight hearing held on Forest Roads Management and Obliteration.

September 17, 1998Oversight hearing held on Forest Service Backcountry Airstrip Management.

September 28, 1998Oversight hearing held on General Accounting Office Study on Forest Health.

## V. Subcommittee Statistics

Total number of bills and resolutions referred 83

Total number of bills reported from subcommittee 24

Total number of bills reported from full committee 27

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Total number of bills passed by the House 18

Total number of bills enacted into law 21

Public Hearings and Markups:

Legislative- 14

Oversight 30

Markup sessions 8

Total number of subcommittee meetings (days) 51 P P E N D I C E S

Printed Hearings

105-1Joint oversight hearing on Forest Ecosystem Health in the United States. April 9, 1997, in Washington, D.C. (Committee on Resources and Committee on Agriculture)

105-2Oversight hearing on State Land and Water Conservation Act. March 11, 1997, in Washington, D.C. (Subcommittee on National Parks and Public Lands)

105-3Oversight hearing on Science and Resources Management in the National Park Service. February 27, 1997, in Washington, D.C. (Subcommittee on National Parks and Public Lands)

105-4Hearing on African Elephants (H.R. 39) and Coral Reefs (H.Con.Res. 8). March 13, 1997, in Washington, D.C. (Subcommittee on Fisheries Conservation, Wildlife and Oceans)

105-5Hearing on Nevada Lands (H.R. 449). March 13, 1997, in Washington, D.C. (Subcommittee on National Parks and Public Lands)

105-6Oversight hearing on Forest Health Criteria. March 18, 1997, in Washington, D.C. (Subcommittee on Forests and Forest Health)

105-7Hearing on National Wildlife Refuge Improvement (H.R. 511 and H.R. 512). March 6, 1997, in Washington, D.C. (Subcommittee on Fisheries Conservation, Wildlife and Oceans)

105-8Oversight hearing on Hardrock Mineral Bonding. March 20, 1997, in Washington, D.C. (Subcommittee on Energy and Mineral Resources)

105-9Oversight hearing on the Interior Department Budget Request for FY 1998. March 4, 1997, in Washington, D.C. (Subcommittee on Energy and Mineral Resources)

105-10Hearing on H.R. 858, Quincy Library Group Forest Recovery Act. March 5, 1997, in Washington, D.C. (Subcommittee on Forests and Forest Health)

105-11Oversight field hearing on Yosemite Restoration. March 22, 1997, in El Portal, CA. (Subcommittee on National Parks and Public Lands)

105-12Hearing on H.R. 478, Flood Control Projects and ESA. April 10, 1997, in Washington, D.C. and Sacramento, CA. (Full Committee)



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- 105-13 Joint oversight hearing on Implementation of Wilderness Act. April 15, 1997, in Washington, D.C. (Subcommittee on National Parks and Public Lands and Subcommittee on Forests and Forest Health)
- 105-14 Oversight field hearing on NWR Maintenance Backlog and Fish Interrelationship. April 21, 1997, in Manahawkin, NJ. (Subcommittee on Fisheries Conservation, Wildlife and Oceans)
- 105-15 Oversight hearing on Federal Hydrography Programs. April 24, 1997, in Washington, D.C. (Subcommittee on Fisheries Conservation, Wildlife and Oceans)
- 105-16 Hearing on H.R. 856, Puerto Rico Status. March 19, 1997, in Washington, D.C. (Full Committee)
- 105-17 Oversight hearing on CALFED Bay-Delta Program. April 17, 1997, in Washington, D.C. (Subcommittee on Water and Power)
- 105-18 Hearing on H.J.Res. 59, Polar Bear Trophies Importation. April 30, 1997, in Washington, D.C. (Full Committee)
- 105-19 Oversight hearing on Livestock Grazing. April 8, 1997, in Washington, D.C. (Subcommittee on Forests and Forest Health)
- 105-20 Oversight hearing on Establishing the Grand Staircase-Escalante National Monument. April 29, 1997, in Washington, D.C. (Subcommittee on National Parks and Public Lands)
- 105-21 Oversight hearing on CVPIA. March 20, 1997, in Washington, D.C. (Subcommittee on Water and Power)
- 105-22 Hearing on H.R. 588, to amend the National Trails System Act to create a new category of long-distance trails to be known as National Discovery Trails, and to authorize the American Discovery Trail as the first trail in that category; and H.R. 1513, to amend the National Trails System Act to designate the Lincoln National Historic Trail as a component of the National Trails System. June 10, 1997, in Washington, D.C. (Subcommittee on National Parks and Public Lands)
- 105-23 Hearing on H.R. 741, Migratory Bird Treaty Reform Act. May 15, 1997, in Washington, D.C. (Subcommittee on Fisheries Conservation, Wildlife and Oceans)
- 105-24 Oversight hearing on Hardrock Mining Operations. June 19, 1997, in Washington, D.C. (Subcommittee on Energy and Mineral Resources)
- 105-25 Oversight hearing on Narragansett Indian Tribe. May 1, 1997, in Washington, D.C. (Full Committee)
- 105-26 Hearing on H.R. 901, American Land Sovereignty Protection Act. May 5, 1997, in Tannersville, New York, and June 10, 1997, in Washington, D.C. (Full Committee)
- 105-27 Field hearing on H.R. 856, United States-Puerto Rico Political Status Act. April 21, 1997, in Mayaguez, Puerto Rico. (Full Committee)
- 105-28 Field hearing on H.R. 856, United States-Puerto Rico Political Status Act. April 19, 1997, in San Juan, Puerto Rico. (Full Committee)

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105-29 Oversight hearings on CITES Meetings. June 3, 1997, and July 17, 1997, in Washington, D.C. (Subcommittee on Fisheries Conservation, Wildlife and Oceans)

105-30 Hearing on H.R. 1051, New Mexico Statehood and Enabling Act Amendments of 1997. June 17, 1997, in Washington, D.C. (Subcommittee on National Parks and Public Lands)

105-31 Oversight hearing on Bureau of Reclamation Funding Options for Water Project Construction, Enhancement, Rehabilitation and Mitigation. May 6, 1997, in Washington, D.C. (Subcommittee on Water and Power)

105-32 Oversight field hearing on Columbia/Snake River Drawdown Proposals. May 31, 1997, in Lewiston, ID. (Subcommittee on Water and Power)

105-33 Hearing on H.R. 1952 and H.R. 1500, to Designate certain Federal lands and Bureau of Land Management Lands, in the State of Utah as Wilderness. June 24, 1997, in Washington, D.C. (Subcommittee on National Parks and Public Lands)

105-34 Hearings on the Decision-Making Processes and Interagency Cooperation of the National Marine Fisheries Service Northwest Region. July 24, 1997, in Washington, D.C., and August 15, 1997, in Boise, ID, (Subcommittee on Fisheries Conservation, Wildlife and Oceans)

105-35 Hearing on H.R. 1567, the Eastern Wilderness Act. June 17, 1997, in Washington, D.C. (Subcommittee on National Parks and Public Lands)

105-36 Oversight hearing on American Heritage Rivers Initiative. July 15, 1997, in Washington, D.C. (Full Committee)

105-37 Hearing on H.R. 1635, National Underground Railroad Network to Freedom Act; H.R. 755, Tax Checkoff for Park System; H.R. 1718, Wyoming Land Conveyance; and H.R. 708, Grazing at Grand Teton National Park. July 22, 1997, in Washington, D.C. (Subcommittee on National Parks and Public Lands)

105-38 Joint oversight hearing on Interior Columbia Basin Ecosystem Management Plan. May 15, 1997, in Washington, D.C. (Subcommittee on Forests and Forest Health and Senate Committee on Energy and Natural Resources, Subcommittee on Forests and Public Land Management)

105-39 Oversight hearing on the Management of Fisheries by the National Marine Fisheries Service. September 11, 1997, in Washington, D.C. (Subcommittee on Fisheries Conservation, Wildlife and Oceans)

105-40 Oversight hearing on New World Mine Proposed Buyout. May 20, 1997, in Washington, D.C. (Subcommittee on Energy and Mineral Resources)

105-41 Oversight hearing on Royalty-In-Kind for Federal Oil and Gas Production. July 31 and September 18, 1997, in Washington, D.C. (Subcommittee on Energy and Mineral Resources)

105-42 Oversight hearing on the Reintroduction of the Grizzly Bear in the Public Domain National Forests. June 12, 1997, in Washington, D.C. (Subcommittee on Forests and Forest Health)

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105-43Oversight hearing on Federal versus State Management of Parks. July 10, 1997, in Washington, D.C. (Subcommittee on National Parks and Public Lands)

105-44Joint oversight hearing on S. 569 and H.R. 1082, Indian Child Welfare Act. June 18, 1997, in Washington, D.C. (Senate Committee on Indian Affairs and House Committee on Resources) (Senate Hearing 105-244)

105-45Oversight hearing on the Use of Fire as a Management Tool and its Risks and Benefits for Forest Health and Air Quality. September 30, 1997, in Washington, D.C. (Full Committee)

105-46Oversight hearing on Compliance of Certain Departments with the Government Performance and Results Act. July 17, 1997, in Washington, D.C. (Subcommittee on Water and Power)

105-47Oversight hearing on U.S. Forest Service Strategic Plan under the Government Performance and Results Act. July 31, 1997, in Washington, D.C. (Subcommittee on Forests and Forest Health)

105-48Joint oversight hearing on Tongass Land Management. July 9, and July 10, 1997, in Washington, D.C. (Senate Committee on Energy and Natural Resources and House Committee on Resources)

105-49Hearing on H.R. 1787, Conservation of Asian Elephants. July 31, 1997, in Washington, D.C. (Subcommittee on Fisheries Conservation, Wildlife and Oceans)

105-50Oversight field hearing on Bureau of Land Management and U.S. Forest Service Oil and Gas Regulations Regarding Access and Permitting Issues. June 30, 1997, in Casper, Wyoming. (Subcommittee on Energy and Mineral Resources)

105-51Hearing on H.R. 351, to authorize the Secretary of the Interior to make appropriate improvements to a county road located in the Pictured Rocks National Lakeshore, and to prohibit construction of a scenic shoreline drive in the National Lakeshore; H.R. 1714, to provide for the acquisition of the Plains Railroad Depot at the Jimmy Carter National Historic Site; H.R. 2136, to direct the Secretary of the Interior to convey, at fair market value, certain properties in Clark County, Nevada, to persons who purchased adjacent properties in good faith reliance on land surveys that were subsequently determined to be inaccurate; and H.R. 2283, to expand the boundaries of Arches National Park in the State of Utah to include portions of the following drainages, Salt Wash, Lost Spring Canyon, Fish Sheep Draw, Clover Canyon, Cordova Canyon, Mine Draw, and Cottonwood Wash, which are currently under the jurisdiction of the Bureau of Land Management, and to include a portion of Fish Sheep Draw, which is currently owned by the State of Utah. September 16, 1997, in Washington, D.C. (Subcommittee on National Parks and Public Lands)

105-52Oversight hearing on grazing Reductions and other Issues on BLM Lands. September 30, 1997, in Washington, D.C. (Subcommittee on National Parks and Public Lands)

105-53Oversight field hearing on Hardrock Mining Issues. September 22, 1997, in Elko, NV. (Subcommittee on Energy and Mineral Resources)

105-54Hearing on H.R. 2376, The National Fish and Wildlife Foundation Establishment Act Amendments of 1997. September 25, 1997 in Washington, D.C. (Subcommittee on Fisheries Conservation, Wildlife and Oceans)

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105-55Hearing on H.R. 1849, The Oklahoma City National Memorial. September 9, 1997, in Washington, D.C. (Subcommittee on National Parks and Public Lands)

105-56Joint oversight hearing on the Sierra Clubs Proposal to Drain Lake Powell or Reduce its Water Storage Capability. September 24, 1997, in Washington, D.C. (Subcommittee on National Parks and Public Lands and Subcommittee on Water and Power)

105-57Oversight hearing on the U.S.-Canada Pacific Salmon Treaty. September 18, 1997, in Washington, D.C. (Subcommittee on Fisheries Conservation, Wildlife and Oceans)

105-58Oversight hearing on the Water Management Implications of the 1997/98 El Nino. October 30, 1997 in Washington, D.C. (Subcommittee on Water and Power)

105-59Hearing on H.R. 2098, National Cave and Karst Research Institute Act of 1997, and H.R. 2989, Land Conveyance to the St. Judes Ranch for Children. February 5, 1998, in Washington, D.C. (Subcommittee on National Parks and Public Lands)---

105-60Oversight field hearing on Salton Sea Stabilization and Water Quality Improvement. October 3, 1997, in Palm Desert, CA. (Subcommittee on Water and Power)

105-61Hearing on H. Con. Res. 151, to Maximize Management of Public Domain Forests to Achieve the Greatest Greenhouse Gas Reductions. September 18, 1997, in Washington, D.C. (Subcommittee on Forests and Forest Health)

105-62Hearing on H.R. 2458, the Community Protection and Hazardous Fuels Reduction Act of 1997. September 23, 1997, in Washington, D.C. (Subcommittee on Forests and Forest Health)

105-63Oversight Hearing on Pfiesteria and its Impact on our Fishery Resources. October 9, 1997, in Washington, D.C. (Subcommittee on Fisheries Conservation, Wildlife and Oceans)

105-64Hearing on H.R. 2401, CBRA Technical Corrections; and H.R. 2556, to Reauthorize the North American Wetlands Conservation Act of 1989. October 23, 1997, in Washington, D.C. (Subcommittee on Fisheries Conservation, Wildlife and Oceans)

105-65Oversight hearing on the Everglades National Park. September 25, 1997, in Washington, D.C. (Subcommittee on National Parks and Public Lands)

105-66Hearing held on H.R. 1522, to Extend the Authorization for the National Historic Preservation Fund. October 21, 1997, in Washington, D.C. (Subcommittee on National Parks and Public Lands)

105-67Joint oversight field hearing on National Park Overflights. November 17, 1997, in St. George, Utah (Subcommittee on National Parks and Public Lands and the Committee on Transportation and Infrastructure, Subcommittee on Aviation)

105-68Oversight hearing on the U.S.S. MONITOR National Marine Sanctuary. November 6, 1997, in Washington, D.C. (Subcommittee on Fisheries Conservation, Wildlife and Oceans)

105-69Hearing on H.R. 2807, Rhino and Tiger Labeling Act; and H.R. 3113, Rhino and Tiger Conservation Act. February 5, 1998, in Washington, D.C. (Subcommittee on Fisheries Conservation, Wildlife and Oceans)

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105-70Hearing on H.R. 1842, The American Heritage Rivers Initiative. September 24, 1997, in Washington, D.C. (Full Committee)

105-71Hearing on H.R. 2223, the Education Land Grant Act; H.R. 2993, To Provide for the Collection of Commercial Filming Fees on National Park System and National Wildlife Refuge System Units; and H.R. 1728, The National Park Service Administrative Amendment of 1997. February 24, 1998, in Washington, D.C. (Subcommittee on National Parks and Public Lands)

105-72Oversight hearings on Clinton-Gore Administrations Forest Service Roadless Area Moratorium. February 25 and March 17, 1998, in Washington, D.C. (Subcommittee on Forests and Forest Health)

105-73Oversight hearing on Fee Demonstration Programs-Successes and Failures. February 26, 1998, in Washington, D.C. (Subcommittee on National Parks and Public Lands)

105-74Oversight hearing on the Presidents Fiscal Year 1999 Budget Request for Agencies. February 26, 1998, in Washington, D.C. (Subcommittee on Energy and Mineral Resources)

105-75Hearing on S. 1213, The Oceans Act of 1997; H.R. 2547, to Develop National Policy with Respect to Oceans and Coastal Activities; and H.R. 3445, The Ocean Commission Act. March 19, 1998, in Washington, D.C. (Subcommittee on Fisheries Conservation, Wildlife and Oceans)

105-76Hearing held on H.R. 2438, to Encourage the Establishment of Appropriate Trails on Abandoned Railroad Rights-of-Way, while Ensuring the Protection of Certain Reversionary Property Rights; and H.R. 1995, to Provide for the Protection of Farmland at the Point Reyes National Seashore. October 30, 1997, in Washington, D.C. (Subcommittee on National Parks and Public Lands)

105-77Hearing on H.R. 3267, the Sonny Bono Memorial Salton Sea Reclamation Act. March 12, 1998, in Washington, D.C. (Subcommittee on Water and Power)

105-78Hearing on H.R. 100, Guam Commonwealth Act; H.R. 2370, Guam Judicial Empowerment Act; and S. 210, to Amend the Organic Act of Guam, the Revised Organic Act of the Virgin Islands, and the Compact of Free Association Act. October 29, 1997, in Washington, D.C. (Full Committee)

105-79Oversight hearing on the Impact and Status of the Northern Spotted Owl on National Forests. March 19, 1998, in Washington, D.C. (Subcommittee on Forests and Forest Health)

105-80Oversight hearing on the Implementation of the Endangered Species Act of 1973. March 5, 1998, in Washington, D.C. (Full Committee)

105-81Oversight hearing on Arctic Snow Geese. April 23, 1998, in Washington, D.C. (Subcommittee on Fisheries Conservation, Wildlife and Oceans)

105-82Joint hearing on the Management of the United States Forest Service. March 26, 1998, in Washington, D.C. (Full Committee, Committee on the Budget, and Subcommittee on Interior of the Committee on Appropriations)

105-83Oversight hearing on the Future Water Needs of California under CALFED, CALFED Financing, the Monitoring and Performance Standards of CALFED, and CALFED Public Participation. May 12, 1998, in Washington, D.C. (Subcommittee on Water and Power)

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105-84Hearing on H.R. 2760, Disabled Sportsmens Access Act. May 14, 1998, in Washington, D.C. (Subcommittee on Fisheries Conservation, Wildlife and Oceans)

105-85Hearing on H.R. 3625, the San Rafael Swell National Conservation Area. April 23, 1998, in Washington, D.C. (Subcommittee on National Parks and Public Lands)

105-86Oversight hearing on Bureau of Land Management Realty and Appraisal Issues. March 24, 1998, in Washington, D.C. (Subcommittee on National Parks and Public Lands)

105-87Oversight hearing on Outer Continental Shelf Oil and Gas Leasing. May 14, 1998, in Washington, D.C. (Subcommittee on Energy and Mineral Resources)

105-88Oversight hearings on the Interior Columbia Basin Ecosystem Management Project. March 10, 1998, in Washington, D.C. and April 14, 1998, in Nampa, ID (Subcommittee on Forests and Forest Health)

105-89Hearing on H.R. 3830, to provide for the exchange of certain lands within the State of Utah. May 19, 1998, in Washington, D.C. (Subcommittee on National Parks and Public Lands)

105-90Oversight hearing on Impact of Federal Land Use Policies on Rural Communities. June 9, 1998, in Washington, D.C. (Full Committee)

105-91Hearing on H.R. 3705, to provide for the sale of certain public lands in the Ivanpah Valley, Nevada, to the Clark County Department of Aviation. June 23, 1998, in Washington, D.C. (Subcommittee on National Parks and Public Lands)

105-92Hearing held on H.R. 3334, The Royalty Enhancement Act of 1998. March 19 and May 21, 1998 in Washington, D.C. (Subcommittee on Energy and Mineral Resources)

105-93Oversight field hearing on Proposed Modifications of Folsom Dam. May 27, 1998, in Sacramento, CA. (Subcommittee on Water and Power)

105-94Oversight hearing on Forest Service Law Enforcement. June 23, 1998, in Washington, D.C. (Subcommittee on Forests and Forest Health)

105-95Hearing held on H.R. 3981, to modify the boundaries of the George Washington Birthplace National Monument; H.R. 4109, Gateway Visitor Center Authorization Act of 1998; H.R. 4141, to amend the Act authorizing the establishment of the Chattahoochee River National Recreation Area to modify the boundaries of the Area, and to provide for the protection of lands, waters, and natural cultural, and scenic resources within the national recreation area; and H.R. 4158, National Park Enhancement and Protection Act. July 16, 1998, in Washington, D.C. (Subcommittee on National Parks and Public Lands)

105-96Oversight hearing on Implementation of the Endangered Species Act in the Southwest. July 15, 1998, in Washington, D.C. (Full Committee)

105-97Oversight hearing on pilot program to control nutria at the Blackwater National Wildlife Refuge in Maryland. July 16, 1998, in Washington, D.C. (Subcommittee on Fisheries Conservation, Wildlife and Oceans)

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105-98 Oversight hearing on United States Ownership of Fishing Vessels. June 4, 1998, in Washington, D.C. (Subcommittee on Fisheries Conservation, Wildlife and Oceans)

105-99 Hearings on West Coast Groundfish and Dungeness Crab Conservation (H.R. 3498). April 30 and May 7, 1998, in Washington, D.C. (Subcommittee on Fisheries Conservation, Wildlife and Oceans)

105-100 Oversight hearing on Regional Haze. July 16, 1998, in Washington, D.C. (Subcommittee on Forests and Forest Health)

105-101 Hearing held on H.R. 3972, to amend the Outer Continental Shelf Lands Act to prohibit the Secretary of the Interior from charging state and local Government Agencies for certain uses of the sand, gravel, and shell resources of the Outer Continental Shelf; H.R. 3878, to subject certain reserved mineral interests of the operation of the Mineral Leasing Act; and H.R. 1467, to provide for the continuance of oil and gas operations pursuant to certain existing leases in the Wayne National Forest. July 21, 1998, in Washington, D.C. (Subcommittee on Energy and Mineral Resources)

105-102 Oversight hearing on Problems and Issues with the National Environmental Policy Act of 1969. March 18, 1998, in Washington, D.C. (Full Committee)

105-103 Hearing held on H.R. 3478, Colorado Ute Settlement Act Amendments of 1998; and H.R. 745, Deauthorize the Animas-La Plata Federal Reclamation Project. July 28, 1998, in Washington, D.C. (Subcommittee on Water and Power)

105-104 Hearing held on H.R. 3963, to establish terms and conditions under which the Secretary of the Interior shall convey leaseholds in certain properties around Canyon Ferry Reservoir, Montana; H.R. 2125, to authorize appropriations for the Coastal Heritage Trail Route in New Jersey, and for other purposes; H.R. 3950, to designate a portion of the Otay Mountain region of California as wilderness; H.R. 4144, to ensure the protection of natural, cultural, and historical resources in Cumberland Island National Seashore and Cumberland Island Wilderness in the State of Georgia; H.R. 4211, to establish the Tuskegee Airmen National Historic Site, in association with the Tuskegee University, in the State of Alabama, and for other purposes; H.R. 4230, to provide for a land exchange involving the El Portal Administrative Site of the Department of the Interior in the State of California; and H.R. 4287, to make technical corrections and minor adjustments to the boundaries of the Grand Staircase-Escalante National Monument in the State of Utah. July 28, 1998, in Washington, D.C. (Subcommittee on National Parks and Public Lands)

105-105 Oversight field hearing on Range Issues and Problems with the Wild Horse and Burro Act and its Implementation. July 13, 1998, in Reno, Nevada. (Subcommittee on National Parks and Public Lands)

105-106 Oversight hearing on Ocean Observing Systems. July 30, 1998, in Washington, D.C. (Subcommittee on Fisheries Conservation, Wildlife and Oceans)

105-107 Oversight field hearing on the Forest Service Management of the National Forests in Northern New Mexico. August 15, 1998, in Espanola, New Mexico. (Subcommittee on Forests and Forest Health)

105-108 Oversight hearing on GAO Study on Forest Health. September 28, 1998, in Washington, D.C. (Subcommittee on Forests and Forest Health)

105-109 Oversight hearing on the Grand Canyon National Park. September 28, 1998, in Washington, D.C. (Subcommittee on National Parks and Public Lands)

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105-110 Oversight hearings on National Environmental Policy Act. July 30 and August 4, 1998, in Washington, D.C. (Subcommittee on Forests and Forest Health)

105-111 Field hearings on Endangered Species Act. September 2, 1998, in Pasco, WA, and September 3, 1998, in Boise, ID. (Full Committee)

105-112 Hearing on H.R. 3658, to provide for the settlement on the water rights claims of the Chippewa Cree Tribe of the Rocky Boys Reservation. September 23, 1998, in Washington, D.C. (Subcommittee on Water and Power)

105-113 Oversight hearing on Research conducted in National Marine Sanctuaries. September 29, 1998, in Washington, D.C. (Subcommittee on Fisheries Conservation, Wildlife and Oceans)

105-114 Oversight hearing on Garrison Unit Reformulation. September 29, 1998, in Washington, D.C. (Subcommittee on Water and Power)

105-115 Oversight field hearing on future maintenance and repair of the Going-to-the-Sun Road in Glacier National Park. September 21, 1998, in Kalispell, MT. (Subcommittee on National Parks and Public Lands)

105-116 Hearing on H.R. 2822, Swan Creek Black River Tribe. October 7, 1998, in Washington, D.C. (Full Committee)

105-117 Oversight hearing on Compacts of Free Association with the Marshall Islands, Federated States of Micronesia, and Palau. October 1, 1998, in Washington, D.C. (Full Committee)

105-118 Oversight field hearing on Endangered Species Act. October 26, 1998, in Clovis, NM. (Full Committee)

105-119 Joint hearing on S. 1770, to Elevate the Director of the Indian Health Service to Assistant Secretary for Health and Human Services; and H.R. 3782, Tribal Trust Fund Account. July 22, 1998, in Washington, D.C. (Full Committee and Senate Committee on Indian Affairs)

#### List of Public Laws

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Public Law 105-9 H.R. 412

Public Law 105-12 H.R. 1003

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Public Law 105-383- S. 2204\* H.R. 4235

Public Law 105-384 H.R. 3461 H.R. 3164 H.R. 3460 H.R. 3498 H.R. 4585

Public Law 105-387- S. 391

Public Law 105-391- S. 1693

\*These bills were not referred to the Committee on Resources, but contain legislation that was referred to the Committee on Resources.

Committee Prints -

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105-A ompilation of Selected Laws concerning National Forests and Related Matters Text. January 1997.-

105-B ompilation of Selected Laws concerning National Parks and Related Matters Text. January 1997.

105-C ndangered Species Act of 1973 (as amended through December 1996) Text. January 1997. -

105-D ehind Closed Doors: The Abuse of Trust and Discretion in the Establishment of the Grand  
Staircase-Escalante National Monument. November 1997.

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