

Federal Land Transaction Facilitation Act (FLTFA) Reauthorization

We need your help. Congress has an opportunity to reauthorize the Federal Land Transaction Facilitation Act (FLTFA) and reinstate FLTFA's Federal Land Disposal Account this year. By co-sponsoring reauthorization legislation (S. 1787 and H.R. 3339) and reinstatement legislation (S. 3762), Members of Congress can restore this important conservation funding tool that uses a "land for land" approach to help federal agencies acquire critically important tracts of land from private willing sellers for fish and wildlife conservation, cultural and historic preservation and outdoor recreation in the West, through the disposal of non-strategic BLM lands that benefits local economies.

Background. In 2000, Congress passed bipartisan legislation that authorized FLTFA for 10 years. Through its "land for land" approach, FLTFA is funded through sales of scattered BLM tracts authorized for disposal under the Federal Land Policy Management Act. The Departments of Interior and Agriculture allocate FLTFA funds to acquire priority lands from willing sellers within the boundaries of designated BLM areas, national forests, national parks and national wildlife refuges. BLM has sold 309 FLTFA parcels totaling 30,000 acres with a total value of over \$113 million. During the same time period, agencies have acquired 28 parcels totaling 16,738 acres – along the Lewis and Clark National Historic Trail in Montana, Canyons of the Ancients National Monument in Colorado, Hells Canyon Wilderness in Arizona, Zion National Park in Utah, South Fork Snake River ACEC in Idaho and other sites.

FLTFA Expiration and One-year Extension. When FLTFA expired on July 25, 2010, FLTFA's Federal Land Disposal Account lost approximately \$50 million including project funding and \$13 million to administer the BLM's land sale program. On July 27, 2010, Congress passed the emergency supplemental appropriations bill to extend FLTFA for one year. Because of the break in FLTFA's authority, the BLM lost funds in the Federal Land Disposal Account to administer the land sales program and acquire new properties as authorized by Congress into July 2011.

Reinstating FLTFA Funding – S. 3762. In August 2010, Senator Harry Reid and Senator John Ensign introduced bipartisan legislation to reinstate approximately \$50 million to the Federal Land Disposal Account to carry out the FLTFA program (S. 3762). When FLTFA expired in July 2010, approximately \$50 million in project funding and administrative funding was transferred to the Treasury. If Congress passes legislation to reinstate the FLTFA funds, the BLM and USFS would receive previously approved project funding to conserve lands near Lake Tahoe and other areas. BLM would also receive approximately \$13 million in administrative funding to continue to FLTFA sales through appraisals, reviews and necessary clearances creating jobs in the near term and promoting ranching, farming and economic development through the sale of lands deemed eligible for disposal through approved land use plans following public review.

Senate Bill – S. 1787. Senator Bingaman (D-NM) introduced S.1787, to extend FLTFA until July 2020. The Senate Energy and Natural Resources Committee approved the bill in June 2010. S. 1787 strikes the date of enactment restriction on designated areas, which will allow FLTFA funds to go toward any designated area, regardless of when the area was established. With regard to land sales, S. 1787 updates the provision to include sales of federal land in land use plans in effect as of the date of enactment of the FLTFA reauthorization bill. As reported, S. 1787 preserves the Southern Nevada legislation, along with county legislation for Lincoln and White Pine Counties, Nevada, Owyhee County, Idaho, Washington County, Utah, and Douglas County, Washington. CBO scores the bill at \$8 million over the 2011-2010 period.

House Bill – H.R. 3339. Representative Heinrich (D-NM) and Representative Lummis (R-WY) introduced H.R. 3339 to permanently reauthorize FLTFA and maintain the "land for land" principle. The House Natural Resources Committee held a hearing on the bill in November 2009 and the bill awaits markup. Like the Senate bill, H.R. 3339 would strike the date of enactment restriction on designated areas, which will allow FLTFA funds to go toward any designated area, regardless of when the area was established. In terms of land sales, the bill also strikes the date of enactment provision, allowing sales from any land use plan to generate revenue for the FLTFA account, regardless of the date of the plan. The House bill differs from the Senate bill in that it is permanent, versus ten years in Senate, and the Senate bill updates the land sales date to the date of enactment.