AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

109TH CONGRESS
2d Session
HOUSE OF REPRESENTATIVES
REPORT
109–583

VALLE VIDAL PROTECTION ACT OF 2005

JULY 20, 2006.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. POMBO, from the Committee on Resources, submitted the following

R E P O R T

[To accompany H.R. 3817]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 3817) to withdraw the Valle Vidal Unit of the Carson National Forest in New Mexico from location, entry, and patent under the mining laws, and for other purposes, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of H.R. 3817 is to withdraw the Valle Vidal Unit of Carson National Forest in New Mexico from location, entry, and patent under the mining laws, and for other purposes.

BACKGROUND AND NEED FOR LEGISLATION

H.R. 3817 would withdraw roughly 101,000 acres of the Carson National Forest, known as the Valle Vidal Unit, from mineral exploration or development. This includes patent under mining claims, and mineral leases for geothermal or mining materials. Any valid existing rights would continue to be recognized, but if those rights were relinquished or purchased, that area would also be withdrawn from the mining laws. This area is known for its horseback riding and hiking trails, livestock grazing, and wildlife habitat.

Roughly 40,000 acres are in question for possible mineral development. Currently, the Forest Service is revising its management plan for the Carson National Forest. This process is, by statute, open to the public for comment and collaboration. The Forest Serv-

ice will likely address the concern of mineral development within the Valle Vidal Unit in the revised forest plan.

COMMITTEE ACTION

H.R. 3817 was introduced on September 15, 2005, by Congressman Tom Udall (D–NM). The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on Forests and Forest Health and the Subcommittee on Energy and Mineral Resources. On October 27, 2005, the Subcommittee on Forests and Forest Health held a hearing on the bill. On June 21, 2006, the Full Resources Committee met to consider the bill. The two subcommittees were discharged from further consideration of the bill by unanimous consent. No amendments were offered and the bill was ordered favorably reported to the House of Representatives by unanimous consent.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Resources' oversight findings and recommendations are reflected in the body of this report.

CONSTITUTIONAL AUTHORITY STATEMENT

Article IV, section 3, clause 2 of the Constitution of the United States grants Congress the authority to enact this bill.

COMPLIANCE WITH HOUSE RULE XIII

1. Cost of Legislation. Clause 3(d)(2) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out this bill. However, clause 3(d)(3)(B) of that Rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974.

2. Congressional Budget Act. As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

3. General Performance Goals and Objectives. This bill does not authorize funding and therefore, clause 3(c)(4) of rule XIII of the Rules of the House of Representatives does not apply.

4. Congressional Budget Office Cost Estimate. Under clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for this bill from the Director of the Congressional Budget Office:

H.R. 3817—Valle Vidal Protection Act of 2005

H.R. 3817 would withdraw some federal land in the Carson National Forest in New Mexico from certain programs to develop natural resources. According to the Forest Service, the agency is currently evaluating whether to implement such programs, particu-

larly to develop oil and gas resources, in areas covered by the proposed withdrawal. To the extent that the affected land is expected to generate income from such activities, H.R. 3817 would reduce offsetting receipts (a credit against direct spending). Because a portion of oil and natural gas receipts is paid to states, any foregone receipts under H.R. 3817 would be partially offset by a corresponding decrease in direct spending for those payments.

CBO cannot predict whether the agency will decide, under current law, to allow oil and gas leasing to occur on the affected land. Based on information from the Forest Service about the length of time involved in making such a decision, we expect that, if the agency decides to implement an oil and gas leasing program, most of the proceeds from such leases would be collected after 2016. Therefore, we estimate that any net change in direct spending under H.R. 3817 would be insignificant in any of the next 10 years. CBO has no basis, however, for estimating the magnitude of the bill's potential budgetary effects in later years. Enacting H.R. 3817 would not affect revenues.

H.R. 3817 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no significant costs on state, local, or tribal governments over the next 10 years. To the extent that this bill would result in reduced federal mineral receipts after that period, it also would lower payments to states.

The CBO staff contact for this estimate is Megan Carroll. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104–4

This bill contains no unfunded mandates.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

CHANGES IN EXISTING LAW

If enacted, this bill would make no changes in existing law.

○