

Federal Land Transaction Facilitation Act (FLTFA) Reauthorization

November 3, 2009

In 2000, Congress passed legislation to generate funds 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 11 western states and Alaska. Since enactment, FLTFA has generated over \$100 million in revenue and the Departments of Interior and Agriculture have approved nearly \$57 million toward protecting over 13,600 acres throughout the West.

Current Law

Using a “land for land” approach, the FLTFA program is funded through sales of scattered BLM tracts authorized under the Federal Land Policy Management Act. Priority high resource value lands within the boundaries of the designated areas as of the date of enactment (July 25, 2000) qualify for funding. With regards to land sales, FLTFA stipulates that lands identified within BLM land use plans in effect as of the date of enactment qualify as a revenue source for the program. To preserve Congress’s intent with regard to county bills, FLTFA does not affect specific land tenure statutes, including the Santini-Burton Act of 1980 and the Southern Nevada Public Land Management Act (SNPLMA) of 1998. Congress authorized FLTFA for 10 years, until July 25, 2010.

House Bill – H.R. 3339

Representative Heinrich (D-NM 1) and Representative Lummis (R-WY) introduced H.R. 3339 to permanently reauthorize FLTFA and maintain the “land for land” principle. 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. With regards to 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. Along with the Santini-Burton Act and SNPLMA, H.R. 3339 also preserves the White Pine County Conservation, Recreation, and Development Act of 2006 and the Lincoln County Conservation, Recreation, and Development Act of 2004.

Senate Bill – S. 1787

Senator Bingaman (D-NM) introduced the Federal Land Transaction Facilitation Act Reauthorization of 2009 (S.1787), to permanently reauthorize FLTFA and maintain its “land for land” principle. Like the House bill, 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 regards to land sales, S. 1787 updates the provision to include sales of federal land in land use plans as in effect as of the date of enactment of the FLTFA Reauthorization Act of 2009. S. 1787 also preserves the White Pine County Conservation, Recreation, and Development Act of 2006 and the Lincoln County Conservation, Recreation, and Development Act of 2004.

Comparison and Summary

Both H.R. 3339 and S. 1787 permanently reauthorize FLTFA and maintain the “land for land” principle. The bills have one difference: H.R. 3339 strikes the current date restrictions for both the federally designated areas and disposal of public land provisions. S. 1787 strikes the date restriction for the federally designated areas provision and updates the disposal of public land provision to the date of enactment of the FLTFA Reauthorization Act of 2009.

FLTFA provides a balanced approach to land management, enabling private land owners to purchase federal lands near their ranches, farms and other lands, which generates revenue for the FLTFA program to facilitate the protection of critically important tracts of land for the benefit of the public and future generations. FLTFA is a successful program that complements the Land and Water Conservation Fund (LWCF). For more information, maps, and a brochure, see www.fltfa.org