[From the Bozeman Chronicle, July 20, 2000]

PUBLIC LAND DEALS BETTER NOT CHEAT THE PUBLIC

(By Chronicle Editor)

Intelligent, well-meaning people can disagree over what's the appropriate amount of land for the federal government to own. But when the government strikes a deal to buy, sell or trade land, there should be no disagreement on the necessity of making certain the public is getting a fair deal.

That apparently has not been the case.

A recent General Accounting Office audit found that the Forest Service and Bureau of Land Management have lost millions of dollars from land exchanges by either buying too high or selling too low. This is a serious indictment of public land stewardship that should not be taken lightly.

Exchanges have become an important part of Western public lands policy as land managers seek to consolidate fragmented holdings, increase wildlife winter range and improve access.

All of these are important public benefits. But it is a serious breach of the public trust if land deals aimed at accomplishing those ends cheat the taxpayers out of land values that are rightfully theirs.

Several major land exchanges have involved Gallatin National Forest in recent years and have accomplished some important land management goals. The problem arises when negotiations and appraisals involved in these land deals are kept secret. Public land managers argue they must be kept secret because revealing proprietary business information from private parties involved in the negotiations could kill the deal.

But if the GAO report is correct in its dismal assessment of the outcome of many of these deals, maybe we'd all be better off if the deals were killed.

Public land managers need to find ways to conduct these negotiations in the open where all can see. If the lands involved are of sufficient value to arouse private parties' interest, then conditioning a trade on open negotiations and publicly revealed land appraisals will not kill deals.

Public negotiations allow anyone with an interest to step forward and point out aspects of the proposed trades that might be overlooked by agency officials. Open negotiations only invite more complete information about factors contributing to land value and reveal the public's priorities for managing these lands.

Public land managers need to remind themselves occasionally that the land they manage is not theirs; it belongs to the citizens of the United States, and those citizens are entitled to a say in how it's done.

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[From the Minneapolis [MN] Star Tribune, July 24, 2000]

LAND EXCHANGE PROGRAMS TROUBLED, BUT WELL WORTH FIXING

There are outrages aplenty in a recent congressional audit of federal land-exchange programs: Nevada acreage valued at $763,000 was transferred by the government to private owners, who resold it the same day for $4.6 million. A 4,300-acre Douglas fir forest in Washington state was swapped to a timber company for 30,000 clearcut acres near Seattle.

These are patently bad deals. But do they, and others documented by the General Accounting Office in its recent report, justify ending the programs?

The GAO's auditors think so. Arguing that land-swapping is inherently problematical, they urge Congress to consider abandoning the practice—perhaps replacing it with a cash-purchase system, wherein the U.S. Forest Service and Bureau of Land Management simply sell parcels they don't want and use the revenue to buy others they do.

But it's unclear how this approach would ease the key bedevilment of the exchange programs: the difficulty of establishing fair value for tracts of land that may be remote, undevelopable, depleted, largely unmarketable to private buyers—or all of the above. Appraising such land is a wholly different task from pricing a farm, homestead or business based on recent sales of comparable properties.

This doesn't excuse the agencies' worst flubs, of course, but it does argue for some tolerance in reviewing their overall, performance—3 million acres of unwanted federal land traded, since 1989, for 2 million desirable acres whose acquisition protected habitat, improved recreation, consolidated fragmented holdings, buffered parks or wilderness from incompatible development. The GAO has carefully measured taxpayers' losses in a few dozen swaps, but not their gains in thousands of others.

Moving to a cash-purchase system would almost certainly slow the agencies' acquisition of valuable lands and subject their work to congressional micromanagement. Congress has long been reluctant to fully fund its own land-conservation commitments; in recent years the budgets for the land-owning agencies have come under increasing pressure, reflecting a sentiment against acquisition of public lands—especially in the West, where most exchanges occur.

Moreover, the Forest Service and BLM have adopted significant reforms since 1998, prompted by newspaper reports exposing their failings. Though the GAO audit was commissioned in part to review the effectiveness of these changes, most of the truly terrible transactions cited by the auditors—including the aforementioned Nevada and Washington deals—occurred before they were adopted.

It is certainly true, as the auditors observe, that the agencies' clearer policies, better training and more stringent review of proposed deals can't guarantee perfect performance. But it is also true that the agencies deserve a better chance to show results.

Rep. George Miller, the California Democrat and public-lands advocate who asked for the GAO study, isn't persuaded that the programs ought to be scrapped, but he has called for a halt to new swaps until the agencies can show they have shaped up. There's little chance that Congress will adopt such a moratorium this session, but the agencies shouldn't take that as a reprieve. Having overhauled their procedures, they must now strive to regain the public's trust in the outcome.

## PERSONAL EXPLANATION

### HON. TIM ROEMER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 27, 2000*

Mr. ROEMER. Mr. Speaker, due to the birth of my daughter Grace Elizabeth, I was not present for rollcall votes 416 through 428 on July 19 and July 20, 2000. Had I been present, I would have voted "aye" on rollcall No. 416; "aye" on rollcall No. 417; "aye" on rollcall No. 418; "aye" on rollcall No. 419; "aye" on rollcall No. 420; "aye" on rollcall No. 421; "nay" on rollcall No. 422; "aye" on rollcall No. 423; "nay" on rollcall No. 424; "aye" on rollcall No. 425; "aye" on rollcall No. 426; "nay" on rollcall No. 427; and "nay" on rollcall No. 428. I also was not present on July 26, 2000 to vote on rollcall No. 422. I would have voted "nay."

## IN HONOR OF COMMANDER GREGORY LAWRENCE

### HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 27, 2000*

Mr. STARK. Mr. Speaker, I would like to take this opportunity to honor my dear friend, Commander Gregory Lawrence, a member of the Milpitas, California Police Department. I would like to congratulate Commander Lawrence on his retirement, September 8, 2000.

Commander Lawrence attended high school at William C. Overfelt High School in San Jose, California. Between the years of 1966 and 1969 he served as a Tank Commander in the U.S. Army. He continued his education at San Jose City College and San Jose State University. In 1979 he graduated from San Jose State with a Bachelor of Arts degree in Administration of Justice. In 1995 he earned a Masters Degree in Management from California State Polytechnic University, Pomona. During his 29 year police career he attended the FBI National Academy, the POST sponsored Supervisory Leadership Institute and Command College.

Commander Lawrence began his career with the Milpitas Police Department on June 18, 1971. Through hard work and dedication he rose through the ranks and was promoted to Senior Officer in September 1973, Sergeant in July 1980, Lieutenant in October 1991, and Commander on September 15, 1998.

Commander Lawrence served as a supervisor in patrol, traffic, community relations, personnel, and investigations. He was instrumental in the development and implementation of the first Community Relations unit where he taught drug resistance classes at Ayer and Milpitas High Schools. He was also one of the department's first Crisis Negotiators. He was the first and only Sergeant to ride motorcycles as a duty assignment and researched, developed, and implemented the department's driver training and bicycle programs.

Commander Lawrence served his community extremely well and I cannot thank him enough for his unselfish dedication to the city of Milpitas. He has accomplished a lot in his 29 years with the police department and has set a great example for dozens of other police officers, friends, and members of the community for years to come.

Commander Lawrence deserves great commendation, and I would like to ask my fellow colleagues to join me in congratulating him on his retirement.