

DUGGER MOUNTAIN WILDERNESS ACT OF 1999

OCTOBER 28, 1999.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. YOUNG of Alaska, from the Committee on Resources,
submitted the following

REPORT

[To accompany H.R. 2632]

[Including cost estimate of the Congressional Budget Office]

The committee on Resources, to whom was referred the bill (H.R. 2632) to designate certain Federal lands in the Talladega National Forest in the State of Alabama as the Dugger Mountain Wilderness, 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. 2632 is to designate certain Federal lands in the Talladega National Forest in the State of Alabama as the Dugger Mountain Wilderness.

BACKGROUND AND NEED FOR LEGISLATION

The Talladega National Forest is located in central western and eastern Alabama. In the 18th century, when the first American settlers came to the area, the Talladega was situated in territory claimed by the Upper Creek Indian Nation. By 1840, the Trail of Tears had seen the Indians pass from the area and settlement accelerated. One man, Taylor Dugger, staked a homestead claim on a sizeable portion of the lowlands and northern slopes of a mountain in the area, and proceeded to set aside the slopes of his land as a wildlife refuge. While some of his actions met with opposition, local stories claim that he was a more than helpful neighbor, and as a result of Dugger's efforts, the mountain was named in his honor.

Dugger Mountain is the second highest peak in Alabama with an elevation of 2,140 feet and features camping, hunting, and fishing

sites, and many hiking trails, including a portion of the popular Pinhoti (from the Creek Indian Tribe word, pinwa, meaning “turkey” and, huti, meaning “house”) Trail. Since 1986, the Dugger Mountain area has been managed as a Wilderness Study Area. Some in the local community would like to see the area preserved as wilderness. Congressional action is required for this designation.

COMMITTEE ACTION

H.R. 2632 was introduced on July 29, 1999, by Congressman Bob Riley (R-AL). The bill was referred to the Committee on Resources and within the Committee to the Subcommittee on Forests and Forest Health. It was also referred to the Committee on Agriculture.

On August 3, 1999, the Subcommittee on Forests and Forest Health held a hearing at which Congressman Riley and the U.S. Forest Service testified in support of H.R. 2632. On October 20, 1999, the Full Resources Committee met to consider the bill. The Subcommittee on Forests and Forest Health was discharged by unanimous consent from further consideration of the bill. No amendments were offered and the bill was ordered favorably reported to the House of Representatives by voice vote.

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 I, section 8 and Article IV, section 3 of the Constitution of the United States grant 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. Government Reform Oversight Findings. Under clause 3(c)(4) of rule XIII of the rules of the House of Representatives, the Committee has received no report of oversight findings and recommendations from the Committee on Government Reform on this bill.

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:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, October 25, 1999.

Hon. DON YOUNG,
*Chairman, Committee on Resources,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 2632, the Dugger Mountain Wilderness Act of 1999.

If you wish further details on this estimate, we will be pleased to provide them. The CBS staff contact is Victoria Heid Hall.

Sincerely,

BARRY B. ANDERSON
(For Dan L. Crippen, Director).

Enclosure.

H.R. 2632—Dugger Mountain Wilderness Act of 1999

CBO estimates that enacting H.R. 2632 would have no significant impact on federal pay-as-you-go procedures would not apply. H.R. 2632 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would have no significant impact on the budgets of state, local, or tribal governments.

H.R. 2632 would designate as wilderness approximately 9,200 acres of federal land in the Talladega National Forest in the state of Alabama. According to the Forest Service, the land is currently being managed as a wilderness study area. Therefore, designating the land as wilderness would have little impact on how the land is currently being administered. Some small additional costs would be incurred to adjust maps and boundaries to reflect the new designation, but the amounts would not be significant. The bill would allow the Forest Service already plans to do under current law.

The CBO staff contact is Victoria Heid Hall. 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.

A P P E N D I X

HOUSE OF REPRESENTATIVES,
COMMITTEE ON RESOURCES,
Washington, DC, October 26, 1999.

Hon. LARRY COMBEST,
*Chairman, Committee on Agriculture, Longworth House Office
Building, Washington, DC.*

DEAR MR. CHAIRMAN: On October 20, 1999, the Committee on Resources ordered favorably reported without amendment H.R. 2632, to designate certain federal lands in the Talladega National Forest in the State of Alabama as the Dugger Mountain Wilderness. The bill was referred primarily to the Committee on Resources, with an additional referral to the Committee on Agriculture.

This bill has created no controversy in Committee and its author, Congressman Riley, would like to see it considered on the Floor before we end the first session of the 106th Congress. Knowing that we have only a few weeks at most left, I ask that you allow the Committee on Agriculture to be discharged from further consideration of the bill so that it may be scheduled under suspension of the rules as soon as possible.

Thank you for your consideration of my request and I look forward to bringing H.R. 2632 to the Floor soon.

Sincerely,

DON YOUNG,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
Washington, DC, October 27, 1999.

Hon. DON YOUNG,
Chairman, Committee on Resources, Longworth House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for forwarding a copy of the Committee report for H.R. 2632, a bill to designate certain Federal lands in the Talladega National Forest in the State of Alabama as the Dugger Mountain Wilderness, as ordered reported by your Committee.

As you know, the Committee on Agriculture received an additional referral of H.R. 2632. After conferring with Chairman Goodlatte of the Subcommittee on Department Operations, Oversight, Nutrition, and Forestry, to which this bill was referred, I would be

glad to waive further consideration of this measure to allow its timely consideration before the House.

In addition, our waiver of consideration of H.R. 2632 should not be considered as precedent for any future referrals of similar measures relating to provisions within this legislation, and if this bill or any similar bill is conferenced with the Senate, this Committee reserves the right to request to be included as conferees.

Finally, I ask that you include copies of our correspondence in the Committee on Resources bill report. I appreciate your cooperation in this matter and look forward to working with you on matters of shared jurisdiction between our respective committees.

Sincerely,

LARRY COMBEST,
Chairman.

○