Bill Tracking Report

102 Congress

102 Bill **S. 1696**

**Title:**
Montana National Forest Management Act of 1992

**Legislative Chamber:**
U.S. Senate

**Sponsor:**
Max Baucus (D-MT)

**Bill Cite:**
1992 Bill Tracking S. 1696; 102 Bill Tracking S. 1696

**Congress:**
102

**Date:**
October 2, 1992

**Bill:**
S. 1696

**Summary**
A bill to designate certain National Forest lands in the State of Montana as wilderness, to release other National Forest lands in the State of Montana for multiple use management, and for other purposes.

**Actions**

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| 10/02/1992 | Senate | Message on House action received in Senate and at desk: House amendment to Senate bill.<br>Type of Action: Floor Consideration |
| 10/02/1992-5:46pm | House | Motion to reconsider laid on the table Agreed to without objection.<br>Type of Action: Floor Consideration |
| 10/02/1992-5:46pm | House | On passage Passed by the Yeas and Nays: 282 - 123 (Roll no. 455).<br>Type of Action: Floor Consideration |
| 10/02/1992-5:24pm | House | The House adopted the amendment in the nature of a substitute as agreed to by the Committee of the Whole House on the state of the Union.<br>Type of Action: Floor Consideration |
| 10/02/1992-5:24pm | House | The previous question was ordered pursuant to the rule.<br>Type of Action: Floor Consideration |
| 10/02/1992-5:23pm | House | The House rose from the Committee of the Whole House on the state of the Union to report S. 1696.<br>Type of Action: Floor Consideration |
| 10/02/1992-5:23pm | House | H.Amdt.886 On agreeing to the Interior and Insular Affairs amendment Agreed to by voice vote.<br>Type of Action: Floor Consideration |
| 10/02/1992-5:23pm | House | H.Amdt.886 Amendment in the nature of a substitute reported by the House Committee on Interior and Insular Affairs.<br>Type of Action: Floor Consideration |
| 10/02/1992-5:23pm | House | H.Amdt.885 On agreeing to the Kostmayer amendment (A002) Failed by voice vote.<br>Type of Action: Floor Consideration |
| 10/02/1992-4:27pm | House | DEBATE - Pursuant to the provisions of H. Res. 590, the Committee of the Whole proceeded with one hour of debate on the Kostmayer amendment in the nature of a substitute.<br>Type of Action: Floor Consideration |

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| 10/02/1992-4:26pm | House | H.Amdt.885 Amendment (A002) in the nature of a substitute offered by Mr. Kostmayer.<br>Type of Action: Floor Consideration |
| 10/02/1992-4:25pm | House | H.Amdt.884 On agreeing to the Marlenee amendment (A001) Failed by voice vote.<br>Type of Action: Floor Consideration |
| 10/02/1992-3:22pm | House | DEBATE - Pursuant to the provisions of H. Res. 590, the Committee of the Whole proceeded with one hour of debate on the Marlenee amendment in the nature of a substitute.<br>Type of Action: Floor Consideration |
| 10/02/1992-3:22pm | House | H.Amdt.884 Amendment (A001) in the nature of a substitute offered by Mr. Marlenee.<br>Type of Action: Floor Consideration |
| 10/02/1992-2:32pm | House | GENERAL DEBATE - The Committee of the Whole proceeded with one hour of general debate.<br>Type of Action: Floor Consideration |
| 10/02/1992-2:32pm | House | The Speaker designated the Honorable Brian J. Donnelly to act as Chairman of the Committee.<br>Type of Action: Floor Consideration |
| 10/02/1992-2:32pm | House | House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H. Res. 590 and Rule XXIII.<br>Type of Action: Floor Consideration |
| 10/02/1992-2:31pm | House | Rule provides for consideration of S. 1696 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Points of order against consideration of the bill for failure to comply with clause 2(l)(6) of rule XI or clause 7 of rule XIII are waived. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Interior and Insular Affairs now printed in the bill. Measure will be considered read. Specified amendments are in order.<br>Type of Action: Floor Consideration |
| 10/02/1992-2:31pm | House | Considered under the provisions of rule H. Res. 590.<br>Type of Action: Floor Consideration |
| 10/02/1992-2:31pm | House | Rule H. Res. 590 passed House.<br>Type of Action: Floor Consideration |
| 10/01/1992 | House | Placed on the Union Calendar, Calendar No. 556.<br>Type of Action: Calendars |
| 10/01/1992 | House | Committee on Merchant Marine and Fisheries discharged.<br>Type of Action: Committee Discharge |
| 10/01/1992-6:54pm | House | Rules Committee Resolution H. Res. 590 Reported to House. Rule provides for consideration of S. 1696 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Points of order against consideration of the bill for failure to comply with clause 2(l)(6) of rule XI or clause 7 of rule XIII are waived. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Interior and Insular Affairs now printed in the bill. Measure will be considered read. Specified amendments are in order.<br>Type of Action: Floor Consideration |
| 10/01/1992 | House | Referred to the Subcommittee on Fisheries and Wildlife Conservation and the Environment.<br>Type of Action: Committee Consideration<br>Action By: House Merchant Marine and Fisheries |
| 09/30/1992 | House | Referred sequentially to the House Committee on Merchant Marine and Fisheries for a period ending not later than Oct. 1, 1992 for consideration of such provisions of the bill and the amendment recommended by the Committee on Interior and Insular Affairs as fall within the jurisdiction of the committee |

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| | | pursuant to clause 1(n) of rule X.<br>Type of Action: Introduction and Referral |
| 09/30/1992 | House | Reported (Amended) by the Committee on Interior and Insular Affairs. H. Rept. 102-958, Part II.<br>Type of Action: Committee Consideration<br>Action By: House Natural Resources |
| 09/30/1992 | House | Reported (Amended) by the Committee on Agriculture. H. Rept. 102-958, Part I.<br>Type of Action: Committee Consideration<br>Action By: House Agriculture |
| 09/24/1992 | House | Committee Consideration and Mark-up Session Held.<br>Type of Action: Committee Consideration<br>Action By: House Agriculture |
| 09/24/1992 | House | Ordered to be Reported.<br>Type of Action: Committee Consideration<br>Action By: House Agriculture |
| 09/17/1992 | House | Ordered to be Reported (Amended).<br>Type of Action: Committee Consideration<br>Action By: House Natural Resources |
| 09/17/1992 | House | Committee Consideration and Mark-up Session Held.<br>Type of Action: Committee Consideration<br>Action By: House Natural Resources |
| 09/16/1992 | House | Committee Consideration and Mark-up Session Held.<br>Type of Action: Committee Consideration<br>Action By: House Natural Resources |
| 09/10/1992 | House | Subcommittee Consideration and Mark-up Session Held.<br>Type of Action: Committee Consideration<br>Action By: House Natural Resources Subcommittee on Federal Lands |
| 09/10/1992 | House | Forwarded by Subcommittee to Full Committee (Amended).<br>Type of Action: Committee Consideration<br>Action By: House Natural Resources Subcommittee on Federal Lands |
| 06/24/1992 | House | Subcommittee Consideration and Mark-up Session Held.<br>Type of Action: Committee Consideration<br>Action By: House Agriculture Subcommittee on Forests, Family Farms, and Energy |
| 06/24/1992 | House | Forwarded by Subcommittee to Full Committee.<br>Type of Action: Committee Consideration<br>Action By: House Agriculture Subcommittee on Forests, Family Farms, and Energy |
| 06/10/1992 | House | Subcommittee Hearings Held.<br>Type of Action: Committee Consideration<br>Action By: House Agriculture Subcommittee on Forests, Family Farms, and Energy |
| 06/09/1992 | House | Subcommittee Hearings Held.<br>Type of Action: Committee Consideration<br>Action By: House Natural Resources Subcommittee on Federal Lands |
| 05/04/1992 | House | Executive Comment Requested from USDA.<br>Type of Action: Committee Consideration<br>Action By: House Natural Resources |
| 04/28/1992 | House | Referred to the Subcommittee on National Parks and Public Lands.<br>Type of Action: Committee Consideration<br>Action By: House Natural Resources |
| 04/02/1992 | House | Referred to the Subcommittee on Forests, Family Farms, and Energy.<br>Type of Action: Committee Consideration<br>Action By: House Agriculture |
| 03/30/1992 | House | Referred jointly to the House Committee on Agriculture.<br>Type of Action: Introduction and Referral |
| 03/30/1992 | House | Referred jointly to the House Committee on Interior and Insular Affairs.<br>Type of Action: Introduction and Referral |

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| 03/30/1992 | Senate | Message on Senate action sent to the House.<br>Type of Action: Floor Consideration |
| 03/30/1992-12:02pm | House | Received in the House.<br>Type of Action: Floor Consideration |
| 03/26/1992 | Senate | Passed Senate with an amendment by Yea-Nay Vote. 75-22. Record Vote No: 55.<br>Type of Action: Floor Consideration |
| 03/26/1992 | Senate | The committee substitute agreed to by Voice Vote.<br>Type of Action: Floor Consideration |
| 03/26/1992 | Senate | Measure laid before Senate by unanimous consent.<br>Type of Action: Floor Consideration |
| 03/25/1992 | Senate | The cloture vote on the motion to proceed vitiated by Unanimous Consent.<br>Type of Action: Floor Consideration |
| 03/24/1992 | Senate | Motion to proceed to consideration of measure withdrawn in Senate.<br>Type of Action: Floor Consideration |
| 03/24/1992 | Senate | Cloture motion on the motion to proceed presented in Senate.<br>Type of Action: Floor Consideration |
| 03/24/1992 | Senate | Motion to proceed to consideration of measure made in Senate.<br>Type of Action: Floor Consideration |
| 01/29/1992 | Senate | By Senator Johnston from Committee on Energy and Natural Resources filed written report. Report No. 102-255.<br>Type of Action: Floor Consideration |
| 11/26/1991 | Senate | Placed on Senate Legislative Calendar under General Orders. Calendar No. 385.<br>Type of Action: Calendars |
| 11/26/1991 | Senate | Committee on Energy and Natural Resources. Reported to Senate by Senator Johnston with an amendment in the nature of a substitute. Without written report.<br>Type of Action: Committee Consideration<br>Action By: Senate Energy and Natural Resources |
| 11/20/1991 | Senate | Committee on Energy and Natural Resources. Ordered to be reported with an amendment in the nature of a substitute favorably.<br>Type of Action: Committee Consideration<br>Action By: Senate Energy and Natural Resources |
| 10/22/1991 | Senate | Subcommittee on Public Lands, National Parks. Hearings held. Hearings printed: S.Hrg. 102-384.<br>Type of Action: Committee Consideration<br>Action By: Senate Energy and Natural Resources Subcommittee on National Parks |
| 09/11/1991 | Senate | Referred to Subcommittee on Public Lands, National Parks.<br>Type of Action: Committee Consideration<br>Action By: Senate Energy and Natural Resources |
| 09/10/1991 | Senate | Read twice and referred to the Committee on Energy and Natural Resources.<br>Type of Action: Introduction and Referral |

**CRS Bill Digest**

Montana National Forest Management Act of 1992 - Designates certain lands in Montana as components of the National Wilderness Preservation System (System).

Directs: (1) the Secretary of Agriculture (Secretary) to file maps and legal descriptions of each wilderness area so designated with specified congressional committees; (2) that such maps and descriptions be on file and available for public inspection in the office of the Chief of the Forest Service and at the office of the Regional Forester of the Northern Region; and (3) that each area so designated be administered by the Secretary, subject to valid existing rights.

Expresses the intent of the Congress that: (1) such designation will not lead to the creation of protective perimeters or buffer zones around wilderness areas; and (2) nonwilderness activities or uses seen or heard from within a wilderness area shall not, of itself, preclude such activities or uses up to the boundary of the wilderness area.

Sets forth provisions with respect to: (1) the grazing of livestock; (2) State fish and game authority; (3) hunting; (4) the installation and maintenance of, and access to, hydrological, meteorological, or climatological collection devices and facilities; and (5) water rights.

Designates certain special management areas for purposes of conserving, protecting, and enhancing scenic, fish and wildlife, biological, educational, and recreational values. Directs the Secretary to: (1) file maps for such areas with specified congressional committees; and (2) administer areas designated so as to achieve the purposes of their designation and in accordance with the laws and regulations applicable to the National Forest System (NFS), with exceptions.

Withdraws all federally-owned lands within the areas so designated from all forms of entry, appropriation, and disposal under the mining and public land laws, and disposition under the geothermal and mineral leasing laws, subject to valid existing rights. Prohibits commercial timber harvesting in the areas so designated, with exceptions: (1) where the Secretary deems it necessary in the event of fire, infestation of insects, or disease; (2) regarding fuel wood, post, and pole gathering; and (3) with respect to such harvesting in the Hyalite National Recreation and Education Area if compatible with the purposes of its designation.

Permits the use of motorized equipment and the grazing of livestock under specified circumstances.

Directs: (1) the Secretary to manage the Mount Helena and Hyalite National Education and Recreation Areas with a focus on education; (2) that all management activities be conducted in a way that provides the public with an opportunity to become better informed about natural resource protection and management; (3) that designated special management areas be administered as components of the national forests wherein they are located; (4) that specified land and resource management plans for the affected national forests emphasize achieving the purposes for which the areas are designated; and (5) that the provisions of the national forest land and resources management plan, relating to each area so designated also be available to the public in a document separate from the rest of the forest plan.

Designates specified lands in the Custer National Forest, the Gallatin National Forest, the Lewis and Clark National Forest, and the Lolo National Forest as wilderness study areas.

Deletes certain lands in the Beaverhead National Forest from the West Pioneers Wilderness Study Area.

Withdraws federally-owned lands in the Badger-Two Medicine Area from all forms of entry, appropriation, and disposal under the mining and public land laws and from disposition under the geothermal and mineral leasing laws, subject to valid existing rights, including rights held by the Blackfeet Nation under existing treaties and statute. Directs the Secretary to manage such Area so as to protect its wilderness qualities. Specifies that: (1) nothing in this Act precludes the gathering of timber by the Blackfeet Tribe in exercise of valid treaty rights within such Area; and (2) with respect to oil and gas leases on Federal lands within such Area, no disturbance shall be permitted pursuant to such leases until the Congress determines otherwise, and the term of any such lease subject to the limitations imposed by this Act shall be extended for a period of time equal to the term that such limitation remains in effect.

Directs the Secretary to: (1) conduct a review of such Area; (2) establish a committee composed of one representative each from the Blackfeet Tribal Business Council, the Blackfeet Tribal traditionalists, and the National Park Service, as well as at least one representative of the various concerned user groups (including proportional representation for environmental and industry groups) to regularly advise the Secretary during the preparation of the report and submit its findings to the Congress; (3) give special consideration to the religious, wilderness, and wildlife uses of the Area, including any treaties with the Blackfeet Nation; and (4) establish a process to provide information to the Tribe and interested public about options for future designation of such Area.

Authorizes the Secretary, pursuant to an agreement between the Secretary and subsidiaries of Burlington Resources, Incorporated (the company), to acquire mineral interests owned by the company underlying specified surface lands owned by the United States in the Clearwater-Monture and Gallatin Area in exchange for federally owned mineral interests of approximately equal value.

Specifies that: (1) mineral interests so conveyed by the United States shall underlie lands the surface of which were owned by the company or its predecessor on September 16, 1987 (but if there are not

sufficient federally owned mineral interests of approximately equal value underlying such lands, the Secretary and the Secretary of the Interior may identify for exchange any other federally owned mineral interest in land in Montana of which the surface estate is in private ownership); and (2) the execution and performance of an exchange agreement and the taking of other actions pursuant to such provisions shall not be deemed a major Federal action significantly affecting the quality of the environment under the National Environmental Policy Act of 1969, nor shall they require the preparation of an environmental assessment under this Act.

Provides that a specified portion of the Axolotl Lakes Wilderness Study Area shall no longer be subject to the requirement of the Federal Land Policy and Management Act of 1976 pertaining to management in a manner that does not impair suitability for preservation as wilderness.

Transfers certain lands designated as wilderness under this Act which are administered by the Secretary of the Interior as public lands to the jurisdiction of the Secretary, to be added to and managed as part of the NFS. Modifies the boundaries of the adjacent National Forests to include such lands. Specifies that: (1) for purposes of provisions of the Land and Water Conservation Fund Act of 1965, the boundaries of affected National Forests, as so modified, shall be considered to be the boundaries of such National Forests as if they were such boundaries as of January 1, 1965; and (2) money appropriated from the Land and Water Conservation Fund shall be available for the acquisition of lands, waters, and interests therein in furtherance of the purposes of this Act.

Directs the Secretary to: (1) undertake a Northern Rockies Ecosystem and Economics Study; and (2) establish an Advisory Panel to meet to review and comment on: the study plan; contractor, background, and interim reports, if any; and the final report.

Requires such Study to address: (1) the current ecological trends and conditions, and environmental sustainability, of the Northern Rockies Ecosystem; (2) the current contribution of commodity and non-commodity uses and output of natural resources to the local and regional economies; (3) the sustainable contribution of commodity and non-commodity uses and outputs of natural resources; (4) opportunities to improve environmental conditions that could permit an expansion of such sustainable contribution; and (5) recommendations on investments and practices for agencies responsible for natural resource management.

Establishes a schedule for review of the study plan by the Advisory Panel, and for submission of reports.

Redesignates the "Rattlesnake National Recreation Area and Wilderness" as the "Rattlesnake National Education and Recreation Area and Wilderness."

Withdraws lands in the Gibson Reservoir Mineral Withdrawal Area from all forms of entry, appropriation, and disposal under the mining and public land laws, and disposition under the geothermal and mineral leasing laws.

Declares that it is the policy of the Congress that the Forest Service acquire and maintain reasonable public access to NFS lands in Montana.

Incorporates certain lands comprising the Great Bear Wilderness Area and the Scapegoat Wilderness Area in, and deems them to be a part of, the Bob Marshall Wilderness.

Authorizes appropriations.

Directs that those NFS lands in Montana which were not designated as wilderness, special management, national recreation, or wilderness study areas by this Act be managed for multiple use in accordance with land and resource management plans developed pursuant to the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, and other applicable law. Specifies that such areas need not be managed for the purpose of protecting their suitability for wilderness designation prior to or during revision of such plans. Sets forth provisions regarding plan revision and review.

Directs the Secretary (subject to specified requirements) to: (1) exchange specified lands with Plum Creek Timber, L.P. (Plum Creek); and (2) acquire certain lands and interests in land of Plum Creek in and adjacent to the Hyalite-Porcupine-Buffalo Horn Wilderness Study Area, the Scapegoat Wilderness

Area, and other land in the Gallatin National Forest. Sets forth provisions with respect to: (1) easements; (2) maps; (3) the timing of the transaction; and (4) incorporation of lands conveyed to the United States into the national forests. Authorizes appropriations.

Sets forth provisions regarding quality of title to properties to be offered to the United States by Big Sky Lumber Company (Big Sky), its assignees, or successors in interest.

Prohibits the Plum Creek Land Exchange, Gallatin Area (described above) from being consummated by the Secretary until the Secretary or a qualified conservation entity, acting on its behalf for later disposition to the United States, has acquired (by purchase or option to acquire, or exchange) all of the Porcupine and Taylor Fork area properties for their fair market value, determined at the time of acquisition in accordance with appraisal standards acceptable to the Secretary by an appraiser acceptable to the Secretary and the owner. Authorizes appropriations. Authorizes the exchange, provided that any exchange of lands between Big Sky and the United States be for equal value.

Directs the Secretary to: (1) work diligently to assure that all lands within the Gallatin Range owned by Big Sky, its assignee, or successors in interest, not acquired, purchased, or exchanged pursuant to such provisions (with respect to the Plum Creek Land Exchange, Gallatin Area, and land consolidation involving the Porcupine area) are acquired by the United States through exchange or purchase; and (2) provide the Congress, within three years, recommendations designed to acquire by purchase or exchange Gallatin Area lands owned by Big Sky, subject to specified requirements.

Authorizes and directs the Secretary to acquire by purchase or exchange lands and interests in the Gallatin Area. Authorizes appropriations. Requires that any such exchange of lands between Big Sky and the United States be for equal value. Sets forth reporting requirements.

**CRS Index Terms**

Climate, Easements, Environmental Protection, Environmental assessment, Federal advisory bodies, Federal-Indian relations, Forest management, Forest roads, Geothermal resources, Grazing, Hunting, Hydrology, Indian lands, Judicial review of administrative acts, Land transfers, Land use, Lumber trade, Meteorology, Mineral reserves, Montana, Names, National forests, National recreation areas, Oil and gas leases, Public Lands and Natural Resources, Reservoirs, Water rights, Wilderness areas, Wildlife conservation