

## **Amendment 4522 – Requires an annual report detailing the amount of property the federal government owns and the cost of government land ownership to taxpayers**

This amendment would require the government to publicly disclose the amount of land that it owns, as well as the cost to maintain it.

Each year, the Office of Management and Budget would be required to issue a public report detailing federal land ownership.

The report would specifically include:

- The total amount of land in the United States;
- The total amount of land owned by the federal government;
- The percentage of all U.S property controlled by the federal government.
- The total cost of operating and maintaining federal real property, including land, buildings and structures;
- A list of all federal property that is either unused or vacant; and
- The estimated cost of the maintenance backlog at each federal agency.

This information will provide greater transparency for taxpayers regarding the size of government land consumption and a better understanding of the cost of government occupation.

It will also provide greater accountability for the maintenance needs of our nation's most precious natural treasures and the costs of expanding government land ownership—in terms of financial costs to taxpayers and the consequences of diverting resources from existing properties.

This information would be particularly important for lawmakers when Congress debates or votes upon legislation, such as S. 2483, that expands government land ownership without first addressing the needs of existing property.

## The Federal Government Does Not Currently Disclose The Amount Or Cost Of Property It Occupies

There are no requirements under current law to require public disclosure of the amount of land controlled by the federal government or the cost of such occupation to the taxpayers.

President George W. Bush, however, did issue Executive Order 13327 in 2004 to require that some of this information be made publicly available.<sup>[1]</sup>

The President stated that his intention in issuing the Executive Order was to “assure management accountability” of federal properties.

While the President’s directive required the Office of Management and Budget to release an annual report giving a high-level picture of federal property ownership, between fiscal years 2004 and 2005, the government decided to stop releasing information on public domain lands.<sup>[2]</sup>

The effect of this decision was to halt the reporting of information on nearly 90 percent of all lands owned by the federal government.

This amendment would legally require the government to release information on **all** of the land it owns and how much it costs to maintain. Most significantly, it would require the government to track the growth in federal land ownership around the country.

Governments track the property that individuals own. The government, therefore, should disclose the same information about its land holdings to the taxpayers who are paying to maintain the property.

---

[1]

[http://www.gsa.gov/Portal/gsa/ep/contentView.do?contentType=GSA\\_BASIC&contentId=16911&noc=T](http://www.gsa.gov/Portal/gsa/ep/contentView.do?contentType=GSA_BASIC&contentId=16911&noc=T)

[2] [http://www.gsa.gov/gsa/cm\\_attachments/GSA\\_DOCUMENT/FRPR\\_5-30\\_updated\\_R2872-m\\_0Z5RDZ-i34K-pR.pdf](http://www.gsa.gov/gsa/cm_attachments/GSA_DOCUMENT/FRPR_5-30_updated_R2872-m_0Z5RDZ-i34K-pR.pdf)

## **Federal Land Ownership Continues to Grow**

A decade ago, the government owned 25 percent of all land in the United States. As of 2004, that number had grown closer to 29 percent.<sup>[3]</sup>

Between 1997 and 2004, the latest years for which reliable information is available, federal land ownership increased from 563.3 million acres to 654.7 million.<sup>[4]</sup> That is an increase of more than 90 million acres, or a 16 percent increase.

The amount of land owned by the government is equivalent to the land in 27 States.

The combined land areas in Georgia, Illinois, Iowa, New York, North Carolina, Arkansas and Alabama would make up an area that is only **half** the size of the federal government's land.

The federal government has long occupied a majority of the property in some states. This includes as much as 84 percent of the land in Nevada, 69 percent in Alaska, 57 percent in Utah, 53 percent in Oregon, and 50 percent in Idaho.<sup>[5]</sup>

As the federal government grabs more and more land, the costs of maintaining this property increases and the maintenance backlog continues to grow. More land in government hands also limits the amount of property available for citizens to own to build a home or start a business.

The growth of government property is a result, in part, of Congress continuing to pass bills, such as S. 2483, providing for more and more land acquisitions.

---

<sup>[3]</sup> <https://www.cia.gov/library/publications/the-world-factbook/geos/us.html>

<sup>[4]</sup> [http://www.gsa.gov/gsa/cm\\_attachments/GSA\\_DOCUMENT/Annual%20Report%20%20FY2004%20Final\\_R2M-n11\\_0Z5RDZ-i34K-pR.pdf](http://www.gsa.gov/gsa/cm_attachments/GSA_DOCUMENT/Annual%20Report%20%20FY2004%20Final_R2M-n11_0Z5RDZ-i34K-pR.pdf) ; and [http://www.gsa.gov/gsa/cm\\_attachments/GSA\\_DOCUMENT/owned\\_inv\\_97\\_R2M-n11\\_0Z5RDZ-i34K-pR.pdf](http://www.gsa.gov/gsa/cm_attachments/GSA_DOCUMENT/owned_inv_97_R2M-n11_0Z5RDZ-i34K-pR.pdf)

<sup>[5]</sup> Kristina Alexander and Ross W. Gorte. "Federal Land Ownership: Constitutional Authority and the History of Acquisition, Disposal, and Retention," Congressional Research Service, December 3, 2007.

## **The Maintenance Backlog For Federal Properties Grows**

While increased federal land ownership increases, current national parks and natural treasures suffer the most when the government assumes responsibility for additional properties because available resources must be stretched further.

The maintenance backlogs at federal agencies are growing at an alarming rate, demonstrating that the federal government is unable to properly take care and manage the property it is now entrusted.

The cost of the backlog for just six agencies is now at \$16 billion.<sup>[6]</sup> Because of this, the Government Accountability Office (GAO) has placed federal real property management on its High Risk List for the most serious problems facing government.

At just the Forest Service alone, the backlog is immense. According to a GAO report, the cost of the maintenance backlog at the Forest Service tripled over a ten-year period.<sup>[7]</sup>

Despite this backlog, the Senate is expected to overwhelmingly pass S. 2483, that authorizes the federal government to take ownership of and responsibility for additional properties.

It is irresponsible for the government to take more land when it can not properly manage the property it now owns.

When maintenance needs stack up beyond what the government can afford, as it appears is the case now, our true national treasures are jeopardized.

A 2004 report published by the *Fresno Bee* highlights this problem in regards to the maintenance needs at Yosemite National Park.<sup>[8]</sup>

“There are small projects waiting, such as the \$62 tree-trimming work needed at the Arch Rock Picnic Area. There are medium-

---

<sup>[6]</sup> <http://www.gao.gov/new.items/d07310.pdf>

<sup>[7]</sup> <http://www.gao.gov/archive/1998/rc98061t.pdf>

<sup>[8]</sup> Michael Doyle. “Park Service Tabulates Repair Backlog,” The Fresno Bee, March 29, 2004; <http://www.yosemite.org/newsroom/clips2004/march/0329a04.htm>

size projects, such as the \$10,697 replacement of fire rings at the El Capitan Picnic Area. And then there is the supersize work, such as the \$249,587 upgrade of the electrical system at the Yosemite Valley Visitors Center.

“Yosemite faces at least \$43.3 million worth of backed-up maintenance needs that in some cases have lingered for years.”

The former superintendent Michael Finley of Yellowstone National Park stated in 2001 that, “Lack of sufficient funding will continue to be the greatest long-term threat to the protection of Yellowstone’s natural and cultural treasures.”<sup>[9]</sup>

He issued a warning almost seven years ago to prioritize funding so that true national treasures are not ignored in favor of lower priorities.

Congress has ignored that warning. Instead of addressing current needs, Congress time and again passes legislation, such as S. 2483, which ignore the current needs of federal properties and instead add new lands that will require maintenance and consume already limited resources to the government’s control.

S. 2483 authorizes at least \$200 million in *new* spending, while doing nothing to address any of the problems at Yosemite or Yellowstone.

### **The Federal Government Does Not Even Use Much Of The Property That It Occupies**

While the federal government owns nearly one third of all property in this country, it does not need a large portion of what it occupies.

According to a June 2007 Office of Management and Budget study, the government owns 21,000 buildings that it does not currently need.<sup>[10]</sup> The value of all of these buildings is roughly \$18 billion.

---

<sup>[9]</sup> [http://www.npca.org/what\\_we\\_do/visitor\\_experience/backlog/limited.html](http://www.npca.org/what_we_do/visitor_experience/backlog/limited.html)

<sup>[10]</sup> [http://www.whitehouse.gov/omb/financial/fia/response\\_section408.pdf](http://www.whitehouse.gov/omb/financial/fia/response_section408.pdf)

The GAO reports that the amount of unneeded or vacant space possessed by the Department of Energy is approximately 20 million square feet.<sup>[11]</sup> This is more than three times the size of the Pentagon— the largest office building in the world.

To put into perspective how large the Pentagon is— it could easily fit five of the U.S. Capitol inside of it and the concrete piles on which it is built could stretch from New York to Boston if laid end-to-end.<sup>[12]</sup>

If the situation is at all similar for the government's land holdings, then taxpayers are footing the bill for a lot of wasted space.

### **Growth In Federal Land Ownership Affects Private Property Owners And Other Taxpayers**

With each new heritage area designation and each new land acquisition, more and more land is taken away from American citizens.

When the federal government assumes ownership of property, American citizens, in effect, turn over control of their communities and neighborhoods to unelected bureaucrats and Washington, DC who are now charged with making decisions for properties that they may never have visited and might not even be able to identify on a map. State and local laws are overridden.

### **Transparency Will Help Policymakers Prioritize Government Land Management And Ownership**

The government owns property it does not use and controls lands that it has failed to properly maintain. No one is entirely sure of the scope or cost of federal land ownership. Yet Congress continues to expand the amount of government controlled land.

It is essential that lawmakers learn to prioritize federal land ownership, management and acquisition.

---

<sup>[11]</sup> <http://hsgac.senate.gov/files/GoldsteinsTestimony524d07895t.pdf>

<sup>[12]</sup> <http://renovation.pentagon.mil/history-features.htm>

To do this, it is essential to first learn the size and cost of federal lands as well as the maintenance backlog for federal agencies and properties.

Instead of prioritizing federal land management, Congress has allowed national parks and natural treasures to fall into disrepair by stretching federal resources and national priorities to include local pork projects. Each of the components of S. 2483—that may, in fact, have local and even national value—will draw resources away from the national treasures that are not being properly maintained.

Adding additional properties and responsibilities to federal bureaucracies simply forces agencies to divert funds away from addressing current responsibilities and property management.

The report that would be required by this amendment will allow the public and policy makers to better understand current challenges and better evaluate the impact of adding to existing responsibilities.

## Claim vs. Fact

**Claim: This provision will be burdensome for the Office of Management and Budget (OMB) to implement.**

**Fact:** Much of this information is already being collected by OMB pursuant to Executive Order 13327. This amendment would simply codify the requirement and make permanent an ongoing and much needed effort, thus negating any costs for administration.

**Claim: This amendment is unnecessary because the information it requires is already available.**

**Fact:** While some of the information requested under this amendment may be available, it is not readily available or regularly updated. Furthermore, the information requested in this amendment is not all located in one place making it difficult for citizens to find.