

ease for utility equipment as necessary to maintain the level of service provided by the utility equipment on the property as of the date of the conveyance.

(3) The United States shall be provided, for no consideration, an easement to provide access to the United States property that is south of the property conveyed.

SEC. 5. LIMITATIONS ON CONVEYANCE.

The conveyance authorized by section 1 is subject to the following limitations:

(1) ENCUMBRANCES.—Such conveyance shall be subject to all encumbrances on the land existing as of the date of enactment of this Act.

(2) RE-ENTRY RIGHT.—The United States shall retain a right of re-entry in the land described for conveyance in section 2. If the Secretary determines that the conveyed property is not being used for public educational or related recreational purposes, the United States shall have a right to re-enter the property conveyed therein without consideration.

SEC. 6. ADDITIONAL TERMS AND CONDITIONS.

The conveyance provided for in section 1 shall be subject to such additional terms and conditions as the Secretary of Agriculture and the Del Norte County Unified School District agree are necessary to protect the interests of the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California [Mr. DOOLITTLE] and the gentleman from California [Mr. MILLER] each will control 20 minutes.

The Chair recognizes the gentleman from California [Mr. DOOLITTLE].

Mr. DOOLITTLE. Mr. Speaker, I yield myself such time as I may consume.

(Mr. DOOLITTLE asked and was given permission to revise and extend his remarks.)

Mr. DOOLITTLE. Mr. Speaker, I rise in support of H.R. 2709, introduced by Mr. RIGGS of California, to transfer ownership of 4.32 acres of national forest land in California to the Del Norte County Unified School District for the Gasquet Mountain School. The school district has leased the land from the Six Rivers National Forest for \$900 per year for a school since 1961. While technically part of the Six Rivers National Forest, the parcel is actually in a town setting and would otherwise be unused by the Forest Service.

Because the school district does not own title to the land, it has been unable to qualify for funding to upgrade or add to the school. There is no indoor facility for children in inclement weather. The transfer would enable the school to build a multipurpose room for use as a cafeteria, gymnasium, and meeting room.

The bill was amended in the Subcommittee on National Parks, Forests, and Lands to clarify the reservations to the Federal Government, and then, at the administration's request, it was amended by the Committee on Resources to further clarify those reservations. As a result, H.R. 2709 ensures the Federal Government a right of re-entry in the event the land is no longer used for public educational or recreational purposes.

This commonsense legislation is needed so that a small rural commu-

nity in northwest California can provide much-needed facilities for its students. I urge the Members of the House to join me in supporting H.R. 2709 for the school children of Del Norte County.

Mr. Speaker, I reserve the balance of my time.

Mr. MILLER of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we have no objections to this measure. It was amended by the Committee on Natural Resources to address several issues related to the transfer.

Mr. Speaker, H.R. 2709 would convey 4.2 acres of land in the Six Rivers National Forest to the Del Norte County School District for no consideration, subject to certain terms and conditions.

We have no objection to the measure. H.R. 2709 was amended by the Resources Committee to address several issues related to the transfer. As the bill stands now, it will provide necessary lands for a local school, while retaining for the Federal Government terms and conditions that protect the public interest.

Mr. RIGGS. Mr. Speaker, I rise in support of H.R. 2709, which I introduced last December. I thank Chairman HANSEN and the other bipartisan leadership of the Resources Committee for their attention to this bill.

Briefly, H.R. 2709 would convey to the Del Norte County Unified School District, Del Norte County, CA, 4.32 acres of Forest Service land on which the Gasquet Mountain School now sits.

The bill provides that as soon as practicable after enactment, the Secretary of Agriculture shall convey to the Del Norte County Unified School District land, which is described by metes and bounds, on which the Gasquet Mountain School has been located since 1961. Since that time, the school district has paid approximately \$900 per year for the lease of the land from the Forest Service. The land would otherwise be unused.

Gasquet, CA is a small rural community located in the middle of U.S. Forest Service and National Park lands. It is over 20 miles from the nearest community facility available for social or recreational purposes.

Because the school district does not own title to the land, it has been unable to qualify for funding to enhance, expand, and otherwise improve the educational and recreational opportunities for local children. There is now no indoor facility where children can play during Del Norte County's long, wet, and sometimes snowy, winters. If the transfer is approved, the school could build a multipurpose room. It could also be used as a cafeteria, gymnasium, and meeting room.

While the land is technically part of Six Rivers National Forest, it is isolated from the main body of the forest within the town of Gasquet. Because of this, and its long history of use as a school, the conveyance would be without consideration. However, the bill requires that the school district must continue to use the property for public educational or recreational purposes. Furthermore, the school district must provide continued access as necessary to the United States—to reach adjoining property—to Del Norte County—for a road—and to the local power company.

Previous attempts by the school district to exchange other land for the parcel have been

unsuccessful. An official of the Forest Service has described the site as "a parcel of public land sitting within a town site [that's] almost impossible to manage as a piece of national forest." In a July 31, 1995, letter regarding a no-cost conveyance, the Department of Agriculture Forest Supervisor stated:

Our Forest would have no objection to this method of conveying the site to the School District due to its close proximity to the town of Gasquet, long range need, location outside the [Smith River National Recreation Area], overall development of the site, and the difficulty of the Forest Service to manage the site for other National Forest purposes.

Besides the Forest Service, the Gasquet Community Council, Del Norte County Unified School District, and the Del Norte County Board of Supervisors all support the transfer proposed by H.R. 2709.

I urge my colleagues to pass this legislation.

Mr. Speaker, I yield back the balance of my time.

Mr. DOOLITTLE. Mr. Speaker, I yield back the balance of my time, and I urge passage of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California [Mr. DOOLITTLE] that the House suspend the rules and pass the bill, H.R. 2709, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

ELKHORN TIMBER SUBSTITUTION

Mr. DOOLITTLE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2711) to provide for the substitution of timber for the canceled Elkhorn Ridge Timber Sale.

The Clerk read as follows:

H.R. 2711

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SUBSTITUTION OF TIMBER FOR CANCELED TIMBER SALE.

(a) IN GENERAL.—Notwithstanding the provisions of the Act of July 31, 1947 (30 U.S.C. 601 et seq.), and the requirements of section 5402.0-6 of title 43, Code of Federal Regulations, the Secretary of the Interior, acting through the Bureau of Land Management, is authorized to substitute, without competition, a contract for timber identified for harvest located on public lands administered by the Bureau of Land Management in the State of California of comparable value for the following terminated timber contract: Elkhorn Ridge Timber Sale, Contract No. CA-050-TS-88-01.

(b) DISCLAIMER.—Nothing in this section shall be construed as changing any law or policy of the Federal Government beyond the timber sale substitution specified in this section.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California [Mr. DOOLITTLE] and the gentleman from California [Mr. MILLER] each will control 20 minutes.

The Chair recognizes the gentleman from California [Mr. DOOLITTLE].

Mr. DOOLITTLE. Mr. Speaker, I yield myself such time as I may consume.

(Mr. DOOLITTLE asked and was given permission to revise and extend his remarks.)

Mr. DOOLITTLE. Mr. Speaker, in October 1987, BLM sold 3.8 million board feet of timber within the Elkhorn Ridge area in Mendocino County near Laytonville, CA. As the result of a lawsuit filed with the Federal district court in 1989 by the Sierra Club, the BLM reassessed the impacts of the sale on the area's wild and scenic river corridor, northern spotted owl, marbled murrelet and the at-risk coho salmon, currently petitioned for Federal listing.

The Elkhorn Ridge sale site lies within the South Fork Eel River Management Area, which has been identified as a tier 1 key watershed in the President's Northwest forest plan.

The BLM signed a record of decision on May 27, 1994, stopping the harvest of the timber sale. Eel River Sawmills filed a claim under the Contract Disputes Act for resolution of the Elkhorn Ridge timber sale contract, seeking damages of \$2.4 million.

The BLM's preferred option in resolving the timber contract is to substitute timber from less environmentally sensitive areas in the region. BLM has identified three suitable sale areas which would be nearly equal in value to the Elkhorn timber sale. BLM's Regional and the Department of the Interior Solicitors have concurred in BLM's determination that such a substitute would be in the public interest and the most suitable resolution to this legal dispute.

H.R. 2711 enjoys the support of the interested parties and would authorize such a substitute.

Mr. Speaker, I reserve the balance of my time.

Mr. MILLER of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 2711 would implement a settlement agreement reached between Eel River Sawmills, Inc., and the Department of the Interior regarding the Elkhorn Ridge Timber sale.

We have no objection to this measure. Enactment of the bill will replace an environmentally destructive timber sale with one that is consistent with the President's forest plan. In addition, H.R. 2711 will negate the need to go to court to deal with the damage claim resulting in the canceling of the Elkhorn timber sale. The administration testified that they support the bill and believe it is in the best interests of the Government and the taxpayers to reach this agreement.

Mr. Speaker, I yield back the balance of my time.

Mr. DOOLITTLE. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. RIGGS], the author of this legislation.

Mr. RIGGS. Mr. Speaker, I want to thank my very good friend, the gen-

tleman from California [Mr. DOOLITTLE], for yielding me time, and a fellow member of the Gang of 7, least they forget too soon around here. I also want to thank other members of the Committee on Natural Resources, including the ranking minority member, the gentleman from California [Mr. MILLER], for their support of the immediately preceding bill as well as this particular legislation. Both of these bills are very important to my congressional district.

The conveyance of the Gasquet Mountain School property will help a very small rural and remote community in Del Norte County, the most northern county in my congressional district. It will help a financially strapped school district by providing them with a facility for permanent use. It will also provide a rural community with a meeting location for other community activities, although again the principal purpose of conveying this property is to provide the Gasquet School District with an additional permanent facility on land that has been previously owned by the Federal Government and managed by the U.S. Forest Service.

The Elkhorn timber sale substitution is an equitable resolution of a long-standing dispute between the Bureau of Land Management and a private timber company, the Eel River Sawmills, which is one of the largest and most important private employers in Humboldt County, the largest county in my congressional district.

This is, I think, sort of an example of how we might resolve disputed timber sales when, after the Federal Government has entered into a contractual obligation to sell timber harvesting rights or timber land to a private concern, environmental objections are raised.

Again, we believe that this bill does in fact substitute timber of equal value for the canceled Elkhorn Ridge timber sale. It should make the Eel River Sawmills, which was the successful bidder on the Elkhorn Ridge timber sale, financially whole, and it will provide them with a timber supply with which they can continue to operate their mill and continue to employ their work force, which, again, represents a significant private employer in my congressional district.

So I want to thank the gentleman from California [Mr. DOOLITTLE], and again thank the minority members of the Committee on Natural Resources for their bipartisan leadership and support of these two measures, H.R. 2709, conveyance of the Gasquet County school property, and I want to ask for their support for H.R. 2711, the bill pending before the House, the Elkhorn Ridge timber sales substitution, and urge passage of the legislation.

Mr. DOOLITTLE. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by

the gentleman from California [Mr. DOOLITTLE] that the House suspend the rules and pass the bill, H.R. 2711.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

CALIFORNIA BUREAU OF LAND MANAGEMENT TRANSFER

Mr. DOOLITTLE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3147) to provide for the exchange of certain Federal lands in the State of California managed by the Bureau of Land Management for certain non-Federal lands, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3147

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress finds that the exchange of lands authorized by this Act will benefit both the private landowners and the United States by consolidating their respective land ownership patterns.

(b) PURPOSE.—The purpose of this Act is to authorize, facilitate, and expedite the land exchange set forth herein.

SEC. 2. MERCED IRRIGATION DISTRICT LAND EXCHANGE.

(a) CONVEYANCE.—The Secretary of the Interior may convey the Federal lands described in subsection (d)(1) in exchange for the non-Federal lands described in subsection (d)(2), in accordance with the provisions of this Act.

(b) APPLICABILITY OF OTHER PROVISIONS OF LAW.—The land exchange required in this Act shall be carried out in accordance with section 206 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716) and in accordance with other applicable laws.

(c) ACCEPTABILITY OF TITLE AND MANNER OF CONVEYANCE.—The Secretary of the Interior shall not carry out an exchange described in subsection (a) unless the title to the non-Federal lands to be conveyed to the United States, and the form and procedures of conveyance, are acceptable to the Secretary.

(d) LANDS TO BE EXCHANGED.—

(1) FEDERAL LANDS TO BE EXCHANGED.—The Federal lands referred to in this Act to be exchanged consist of approximately 179.4 acres in Mariposa County, California, as generally depicted on the map entitled "Merced Irrigation District Exchange—Proposed, Federal Land"; dated _____ 1995, more particularly described as follows:

T. 3 S., R. 15 E., MDM (Mount Diablo Meridian): sec. 35, SW $\frac{1}{4}$ SE $\frac{1}{4}$, containing approximately 40 acres.

T. 4 S., R. 15 E., MDM (Mount Diablo Meridian):

Sec. 14: E $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, containing approximately 20 acres.

Sec. 23: NE $\frac{1}{4}$ SE $\frac{1}{4}$, containing approximately 40 acres.

T. 5 S., R. 15 E., MDM (Mount Diablo Meridian):

Sec. 2: Lot 1, containing approximately 57.9 acres.

Sec. 3: Lots 7 through 15, containing approximately 21.5 acres.

(2) NON-FEDERAL LANDS TO BE EXCHANGED.—The non-Federal lands referred to in this Act to be exchanged consist of approximately 160 acres in Mariposa County, California, as generally depicted on the map entitled "Merced