

The Chair recognizes the gentleman from Utah (Mr. HANSEN).

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

Mr. Speaker, H.R. 4579 introduced by myself, would facilitate a major land exchange between the Secretary of the Interior and the State of Utah. Within the West Desert of Utah lies hundreds of thousands of acres of wilderness study areas. For decades now, the school trust has owned lands within these WSAs with no ability to generate revenues from these lands, which is their constitutional mandate.

Earlier in this Congress, the Secretary and the school trust began negotiating a land exchange to remove these lands from the WSAs to ensure that those lands would not be developed and to ensure that the school children of Utah could benefit from the lands they have owned since statehood.

This exchange trades approximately 106,000 acres of State land for approximately 106,000 acres of Federal land. This is an equal value exchange that benefits both the conservation of our lands and the school children of Utah. We bring to the floor today an amended version of the legislation which ensures that the values are equal and that the work of the State and the Department of Interior will be independently reviewed. I appreciate the minority working with us and the Department to craft an amendment that guarantees this as an equal value exchange.

I urge my colleagues to support H.R. 4579.

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

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

Mr. Speaker, I rise in support of this legislation, H.R. 4579, that would ratify an agreement reached May 30 between Interior Secretary Babbitt and Utah Governor Levitt to exchange Federal and State lands in the West Desert of Utah. Such legislation is necessary because the proposed exchange does not comply with the requirements of the Federal Land Policy Management Act and other applicable law.

The agreement between the Secretary and the Governor has only recently been finalized, and the hearing held by the Committee on Resources raised several questions. Fortunately, I think we have been able to address the questions that were raised with respect to appraisal of these lands and the process by which the BLM went through this and raised concerns about the general, if you will, BLM appraisal process with respect to land exchanges.

Clearly here the worry was that valuation methods were used that had no basis in law or policy and could not stand up to the appraisal standards. But I think the fact of the matter is that while that process was far from ideal, I think also we have a unique situation here in the sense that there is a benefit in this exchange, especially in the fact that we will have the oppor-

tunity to consolidate Federal land holdings in many wilderness study areas and other lands found to have significant wilderness qualities, and I think that is important.

So some of these lands in and of themselves may not have great value, but in terms of management and the consolidation impact, I think that clearly this exchange is needed, and I believe the bill now contains provisions that will provide reasonable process for assessing the value of the proposed land exchange before it is implemented.

The language provides that the Secretary and the State of Utah will each prepare a statement of value for the lands to be exchanged. In addition, the two parties will select an independent qualified appraiser who will review those statements of values and all relevant documentation to determine if the lands are of approximately equal value. I think this in fact will make the bill acceptable.

I really want to thank the sponsor of this legislation, the gentleman from Utah (Mr. HANSEN), for all of the effort that he has put into this legislation to address these concerns. I think it is clearly a bill that the House should now support.

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

Mr. HANSEN. Mr. Speaker, I thank the gentleman from California for his comments.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the bill, H.R. 4579, 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.

VALLES CALDERA PRESERVATION ACT

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1892) to authorize the acquisition of the Valles Caldera, to provide for an effective land and wildlife management program for this resource within the Department of Agriculture, and for other purposes.

The Clerk read as follows:

S. 1892

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

TITLE I—VALLES CALDERA NATIONAL PRESERVE AND TRUST

SEC. 101. SHORT TITLE.

This title may be cited as the "Valles Caldera Preservation Act".

SEC. 102. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) the Baca ranch comprises most of the Valles Caldera in central New Mexico, and constitutes a unique land mass, with signifi-

cant scientific, cultural, historic, recreational, ecological, wildlife, fisheries, and productive values;

(2) the Valles Caldera is a large resurgent lava dome with potential geothermal activity;

(3) the land comprising the Baca ranch was originally granted to the heirs of Don Luis Maria Cabeza de Vaca in 1860;

(4) historical evidence, in the form of old logging camps and other artifacts, and the history of territorial New Mexico indicate the importance of this land over many generations for domesticated livestock production and timber supply;

(5) the careful husbandry of the Baca ranch by the current owners, including selective timbering, limited grazing and hunting, and the use of prescribed fire, have preserved a mix of healthy range and timber land with significant species diversity, thereby serving as a model for sustainable land development and use;

(6) the Baca ranch's natural beauty and abundant resources, and its proximity to large municipal populations, could provide numerous recreational opportunities for hiking, fishing, camping, cross-country skiing, and hunting;

(7) the Forest Service documented the scenic and natural values of the Baca ranch in its 1993 study entitled "Report on the Study of the Baca Location No. 1, Santa Fe National Forest, New Mexico", as directed by Public Law 101-556;

(8) the Baca ranch can be protected for current and future generations by continued operation as a working ranch under a unique management regime which would protect the land and resource values of the property and surrounding ecosystem while allowing and providing for the ranch to eventually become financially self-sustaining;

(9) the current owners have indicated that they wish to sell the Baca ranch, creating an opportunity for Federal acquisition and public access and enjoyment of these lands;

(10) certain features on the Baca ranch have historical and religious significance to Native Americans which can be preserved and protected through Federal acquisition of the property;

(11) the unique nature of the Valles Caldera and the potential uses of its resources with different resulting impacts warrants a management regime uniquely capable of developing an operational program for appropriate preservation and development of the land and resources of the Baca ranch in the interest of the public;

(12) an experimental management regime should be provided by the establishment of a Trust capable of using new methods of public land management that may prove to be cost-effective and environmentally sensitive; and

(13) the Secretary may promote more efficient management of the Valles Caldera and the watershed of the Santa Clara Creek through the assignment of purchase rights of such watershed to the Pueblo of Santa Clara.

(b) PURPOSES.—The purposes of this title are—

(1) to authorize Federal acquisition of the Baca ranch;

(2) to protect and preserve for future generations the scientific, scenic, historic, and natural values of the Baca ranch, including rivers and ecosystems and archaeological, geological, and cultural resources;

(3) to provide opportunities for public recreation;

(4) to establish a demonstration area for an experimental management regime adapted to this unique property which incorporates elements of public and private administration in order to promote long term financial sustainability consistent with the other purposes enumerated in this subsection; and

(5) to provide for sustained yield management of Baca ranch for timber production and domesticated livestock grazing insofar as is consistent with the other purposes stated herein.

SEC. 103. DEFINITIONS.

In this title:

(1) **BACA RANCH.**—The term “Baca ranch” means the lands and facilities described in this section 104(a).

(2) **BOARD OF TRUSTEES.**—The terms “Board of Trustees” and “Board” mean the Board of Trustees as describe in section 107.

(3) **COMMITTEES OF CONGRESS.**—The term “Committees of Congress” means the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives.

(4) **FINANCIALLY SELF-SUSTAINING.**—The term “financially self-sustaining” means management and operating expenditures equal to or less than proceeds derived from fees and other receipts for resource use and development and interest on invested funds. Management and operating expenditures shall include Trustee expenses, salaries and benefits of staff, administrative and operating expenses, improvements to and maintenance of lands and facilities of the Preserve, and other similar expenses. Funds appropriated to the Trust by Congress, either directly or through the Secretary, for the purposes of this title shall not be considered.

(5) **MULTIPLE USE AND SUSTAINED YIELD.**—The term “multiple use and sustained yield” has the combined meaning of the terms “multiple use” and “sustained yield of the several products and services”, as defined under the Multiple-Use Sustained-Yield Act of 1960 (16 U.S.C. 531).

(6) **PRESERVE.**—The term “Preserve” means the Valles Caldera National Preserve established under section 105.

(7) **SECRETARY.**—Except where otherwise provided, the term “Secretary” means the Secretary of Agriculture.

(8) **TRUST.**—The term “Trust” means the Valles Caldera Trust established under section 106.

SEC. 104. ACQUISITION OF LANDS.

(a) **ACQUISITION OF BACA RANCH.**—

(1) **IN GENERAL.**—In compliance with the Act of June 15, 1926 (16 U.S.C. 471a), the Secretary is authorized to acquire all or part of the rights, title, and interests in and to approximately 94,761 acres of the Baca ranch, comprising the lands, facilities, and structures referred to as the Baca Location No. 1, and generally depicted on a plat entitled “Independent Resurvey of the Baca Location No. 1”, made by L.A. Osterhoudt, W.V. Hall, and Charles W. Devendorf, U.S. Cadastral Engineers, June 30, 1920–August 24, 1921, under special instructions for Group No. 107 dated February 12, 1920, in New Mexico.

(2) **SOURCE OF FUNDS.**—The acquisition under paragraph (1) may be made by purchase through appropriated or donated funds, by exchange, by contribution, or by donation of land. Funds appropriated to the Secretary from the Land and Water Conservation Fund shall be available for this purpose.

(3) **BASIS OF SALE.**—The acquisition under paragraph (1) shall be based on an appraisal done in conformity with the Uniform Appraisal Standards for Federal Land Acquisitions and—

(A) in the case of purchase, such purchase shall be on a willing seller basis for no more than the fair market value of the land or interests therein acquired; and

(B) in the case of exchange, such exchange shall be for lands, or interests therein, of equal value, in conformity with the existing exchange authorities of the Secretary.

(4) **DEED.**—The conveyance of the offered lands to the United States under this sub-

section shall be by general warranty or other deed acceptable to the Secretary and in conformity with applicable title standards of the Attorney General.

(b) **ADDITION OF LAND TO BANDELIER NATIONAL MONUMENT.**—Upon acquisition of the Baca ranch under subsection (a), the Secretary of the Interior shall assume administrative jurisdiction over those lands within the boundaries of the Bandelier National Monument as modified under section 3 of Public Law 105-376 (112 Stat. 3389).

(c) **PLAT AND MAPS.**—

(1) **PLAT AND MAPS PREVAIL.**—In case of any conflict between a plat or a map and acreages, the plat or map shall prevail.

(2) **MINOR CORRECTIONS.**—The Secretary and the Secretary of the Interior may make minor corrections in the boundaries of the Upper Alamo watershed as depicted on the map referred to in section 3 of Public Law 105-376 (112 Stat. 3389).

(3) **BOUNDARY MODIFICATION.**—Upon the conveyance of any lands to any entity other than the Secretary, the boundary of the Preserve shall be modified to exclude such lands.

(4) **FINAL MAPS.**—Within 180 days of the date of acquisition of the Baca ranch under subsection (a), the Secretary and the Secretary of the Interior shall submit to the Committees of Congress a final map of the Preserve and a final map of Bandelier National Monument, respectively.

(5) **PUBLIC AVAILABILITY.**—The plat and maps referred to in the subsection shall be kept and made available for public inspection in the offices of the Chief, Forest Service, and Director, National Park Service, in Washington, D.C., and Supervisor, Santa Fe National Forest, and Superintendent, Bandelier National Monument, in the State of New Mexico.

(d) **WATERSHED MANAGEMENT REPORT.**—The Secretary, acting through the Forest Service, in cooperation with the Secretary of the Interior, acting through the National Park Service, shall—

(1) prepare a report of management alternatives which may—

(A) provide more coordinated land management within the area known as the upper watersheds of Alamo, Capulin, Medio, and Sanchez Canyons, including the areas known as the Dome Diversity Unit and the Dome Wilderness;

(B) allow for improved management of elk and other wildlife populations ranging between the Santa Fe National Forest and the Bandelier National Monument; and

(C) include proposed boundary adjustments between the Santa Fe National Forest and the Bandelier National Monument to facilitate the objectives under subparagraphs (A) and (B); and

(2) submit the report to the Committees of Congress within 120 days of the date of enactment of this title.

(e) **OUTSTANDING MINERAL INTERESTS.**—The acquisition of the Baca ranch by the Secretary shall be subject to all outstanding valid existing mineral interests. The Secretary is authorized and directed to negotiate with the owners of any fractional interest in the subsurface estate for the acquisition of such fractional interest on a willing seller basis for not to exceed its fair market value, as determined by appraisal done in conformity with the Uniform Appraisal Standards for Federal Land Acquisitions. Any such interests acquired within the boundaries of the Upper Alamo watershed, as referred to in subsection (b), shall be administered by the Secretary of the Interior as part of Bandelier National Monument.

(f) **BOUNDARIES OF THE BACA RANCH.**—For purposes of section 7 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C.

4601-9), the boundaries of the Baca ranch shall be treated as if they were National Forest boundaries existing as of January 1, 1965.

(g) **PUEBLO OF SANTA CLARA.**—

(1) **IN GENERAL.**—The Secretary may assign to the Pueblo of Santa Clara rights to acquire for fair market value portions of the Baca ranch. The portion that may be assigned shall be determined by mutual agreement between the Pueblo and the Secretary based on optimal management considerations for the Preserve including manageable land line locations, public access, and retention of scenic and natural values. All appraisals shall be done in conformity with the Uniform Appraisal Standards for Federal Land Acquisition.

(2) **STATUS OF LAND ACQUIRED.**—As of the date of acquisition, the fee title lands, and any mineral estate underlying such lands, acquired under this subsection by the Pueblo of Santa Clara are deemed transferred into trust in the name of the United States for the benefit of the Pueblo of Santa Clara and such lands and mineral estate are declared to be part of the existing Santa Clara Indian Reservation.

(3) **MINERAL ESTATE.**—Any mineral estate acquired by the United States pursuant to section 104(e) underlying fee title lands acquired by the Pueblo of Santa Clara shall not be developed without the consent of the Secretary of the Interior and the Pueblo of Santa Clara.

(4) **SAVINGS.**—Any reservations, easements, and covenants contained in an assignment agreement entered into under paragraph (1) shall not be affected by the acquisition of the Baca ranch by the United States, the assumption of management by the Valles Caldera Trust, or the lands acquired by the Pueblo being taken into trust.

SEC. 105. THE VALLES CALDERA NATIONAL PRESERVE.

(a) **ESTABLISHMENT.**—Upon the date of acquisition of the Baca ranch under section 104(a), there is hereby established the Valles Caldera National Preserve as a unit of the National Forest System which shall include all Federal lands and interests in land acquired under sections 104(a) and 104(e), except those lands and interests in land administered or held in trust by the Secretary of the Interior under sections 104(b) and 104(g), and shall be managed in accordance with the purposes and requirements of this title.

(b) **PURPOSES.**—The purposes for which the Preserve is established are to protect and preserve the scientific, scenic, geologic, watershed, fish, wildlife, historic, cultural, and recreational values of the Preserve, and to provide for multiple use and sustained yield of renewable resources within the Preserve, consistent with this title.

(c) **MANAGEMENT AUTHORITY.**—Except for the powers of the Secretary enumerated in this title, the Preserve shall be managed by the Valles Caldera Trust established by section 106.

(d) **ELIGIBILITY FOR PAYMENT IN LIEU OF TAXES.**—Lands acquired by the United States under section 104(a) shall constitute entitlement lands for purposes of the Payment in Lieu of Taxes Act (31 U.S.C. 6901-6904).

(e) **WITHDRAWALS.**—

(1) **IN GENERAL.**—Upon acquisition of all interests in minerals within the boundaries of the Baca ranch under section 104(e), subject to valid existing rights, the lands comprising the Preserve are thereby withdrawn from disposition under all laws pertaining to mineral leasing, including geothermal leasing.

(2) **MATERIALS FOR ROADS AND FACILITIES.**—Nothing in this title shall preclude the Secretary, prior to assumption of management of the Preserve by the Trust, and the Trust thereafter, from allowing the utilization of common varieties of mineral materials such

as sand, stone, and gravel as necessary for construction and maintenance of roads and facilities within the Preserve.

(f) **FISH AND GAME.**—Nothing in this title shall be construed as affecting the responsibilities of the State of New Mexico with respect to fish and wildlife, including the regulation of hunting, fishing, and trapping within the Preserve, except that the Trust may, in consultation with the Secretary and the State of New Mexico, designate zones where and establish periods when no hunting, fishing, or trapping shall be permitted for reasons of public safety, administration, the protection of nongame species and their habitats, or public use and enjoyment.

(g) **REDONDO PEAK.**—

(1) **IN GENERAL.**—For the purposes of preserving the natural, cultural, religious, and historic resources on Redondo Peak upon acquisition of the Baca ranch under section 104(a), except as provided in paragraph (2), within the area of Redondo Peak above 10,000 feet in elevation—

(A) no roads, structures, or facilities shall be constructed; and

(B) no motorized access shall be allowed.

(2) **EXCEPTIONS.**—Nothing in this subsection shall preclude—

(A) the use and maintenance of roads and trails existing as of the date of enactment of this Act;

(B) the construction, use and maintenance of new trails, and the relocation of existing roads, if located to avoid Native American religious and cultural sites; and

(C) motorized access necessary to administer the area by the Trust (including measures required in emergencies involving the health or safety of persons within the area).

SEC. 106. THE VALLES CALDERA TRUST.

(a) **ESTABLISHMENT.**—There is hereby established a wholly owned government corporation known as the Valles Caldera Trust which is empowered to conduct business in the State of New Mexico and elsewhere in the United States in furtherance of its corporate purposes.

(b) **CORPORATE PURPOSES.**—The purposes of the Trust are—

(1) to provide management and administrative services for the Preserve;

(2) to establish and implement management policies which will best achieve the purposes and requirements of this title;

(3) to receive and collect funds from private and public sources and to make dispositions in support of the management and administration of the Preserve; and

(4) to cooperate with Federal, State, and local governmental units, and with Indian tribes and Pueblos, to further the purposes for which the Preserve was established.

(c) **NECESSARY POWERS.**—The Trust shall have all necessary and proper powers for the exercise of the authorities vested in it.

(d) **STAFF.**—

(1) **IN GENERAL.**—The Trust is authorized to appoint and fix the compensation and duties of an executive director and such other officers and employees as it deems necessary without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may pay them without regard to the provisions of chapter 51, and subchapter III of chapter 53, title 5, United States Code, relating to classification and General Schedule pay rates. No employee of the Trust shall be paid at a rate in excess of that payable to the Supervisor of the Santa Fe National Forest or the Superintendent of the Bandelier National Monument, whichever is greater.

(2) **FEDERAL EMPLOYEES.**—

(A) **IN GENERAL.**—Except as provided in this title, employees of the Trust shall be Federal employees as defined by title 5, United

States Code, and shall be subject to all rights and obligations applicable thereto.

(B) **USE OF FEDERAL EMPLOYEES.**—At the request of the Trust, the employees of any Federal agency may be provided for implementation of this title. Such employees detailed to the Trust for more than 30 days shall be provided on a reimbursable basis.

(e) **GOVERNMENT CORPORATION.**—

(1) **IN GENERAL.**—The Trust shall be a Government Corporation subject to chapter 91 of title 31, United States Code (commonly referred to as the Government Corporation Control Act). Financial statements of the Trust shall be audited annually in accordance with section 9105 of title 31 of the United States Code.

(2) **REPORTS.**—Not later than January 15 of each year, the Trust shall submit to the Secretary and the Committees of Congress a comprehensive and detailed report of its operations, activities, and accomplishments for the prior year including information on the status of ecological, cultural, and financial resources being managed by the Trust, and benefits provided by the Preserve to local communities. The report shall also include a section that describes the Trust's goals for the current year.

(3) **ANNUAL BUDGET.**—

(A) **IN GENERAL.**—The Trust shall prepare an annual budget with the goal of achieving a financially self-sustaining operation within 15 full fiscal years after the date of acquisition of the Baca ranch under section 104(a).

(B) **BUDGET REQUEST.**—The Secretary shall provide necessary assistance (including detailees as necessary) to the Trust for the timely formulation and submission of the annual budget request for appropriations, as authorized under section 111(a), to support the administration, operation, and maintenance of the Preserve.

(f) **TAXES.**—The Trust and all properties administered by the Trust shall be exempt from all taxes and special assessments of every kind by the State of New Mexico, and its political subdivisions including the counties of Sandoval and Rio Arriba.

(g) **DONATIONS.**—The Trust may solicit and accept donations of funds, property, supplies, or services from individuals, foundations, corporations, and other private or public entities for the purposes of carrying out its duties. The Secretary, prior to assumption of management of the Preserve by the Trust, and the Trust thereafter, may accept donations from such entities notwithstanding that such donors may conduct business with the Department of Agriculture or any other department or agency of the United States.

(h) **PROCEEDS.**—

(1) **IN GENERAL.**—Notwithstanding sections 1341 and 3302 of title 31 of the United States Code, all monies received from donations under subsection (g) or from the management of the Preserve shall be retained and shall be available, without further appropriation, for the administration, preservation, restoration, operation and maintenance, improvement, repair, and related expenses incurred with respect to properties under its management jurisdiction.

(2) **FUND.**—There is hereby established in the Treasury of the United States a special interest bearing fund entitled "Valles Caldera Fund" which shall be available, without further appropriation for any purpose consistent with the purposes of this title. At the option of the Trust, or the Secretary in accordance with section 110, the Secretary of the Treasury shall invest excess monies of the Trust in such account, which shall bear interest at rates determined by the Secretary of the Treasury taking into consideration the current average market yield on outstanding marketable obligations of the United States of comparable maturity.

(i) **RESTRICTIONS ON DISPOSITION OF RECEIPTS.**—Any funds received by the Trust, or the Secretary in accordance with section 109(b), from the management of the Preserve shall not be subject to partial distribution to the State under—

(1) the Act of May 23, 1908, entitled "an Act making appropriations for the Department of Agriculture for the fiscal year ending June thirtieth, nineteen hundred and nine" (35 Stat. 260, chapter 192; 16 U.S.C. 500);

(2) section 13 of the Act of March 1, 1911 (36 Stat. 963, chapter 186; 16 U.S.C. 500); or

(3) any other law.

(j) **SUITS.**—The Trust may sue and be sued in its own name to the same extent as the Federal Government. For purposes of such suits, the residence of the Trust shall be the State of New Mexico. The Trust shall be represented by the Attorney General in any litigation arising out of the activities of the Trust, except that the Trust may retain private attorneys to provide advice and counsel.

(k) **BYLAWS.**—The Trust shall adopt necessary bylaws to govern its activities.

(l) **INSURANCE AND BOND.**—The Trust shall require that all holders of leases from, or parties in contract with, the Trust that are authorized to occupy, use, or develop properties under the management jurisdiction of the Trust, procure proper insurance against any loss in connection with such properties, or activities authorized in such lease or contract, as is reasonable and customary.

(m) **NAME AND INSIGNIA.**—The Trust shall have the sole and exclusive right to use the words "Valles Caldera Trust", and any seal, emblem, or other insignia adopted by the Board of Trustees. Without express written authority of the Trust, no person may use the words "Valles Caldera Trust" as the name under which that person shall do or purport to do business, for the purpose of trade, or by way of advertisement, or in any manner that may falsely suggest any connection with the Trust.

SEC. 107. BOARD OF TRUSTEES.

(a) **IN GENERAL.**—The Trust shall be governed by a 9-member Board of Trustees consisting of the following:

(1) **VOTING TRUSTEES.**—The voting Trustees shall be—

(A) the Supervisor of the Santa Fe National Forest, United States Forest Service;

(B) the Superintendent of the Bandelier National Monument, National Park Service; and

(C) 7 individuals, appointed by the President, in consultation with the congressional delegation from the State of New Mexico. The 7 individuals shall have specific expertise or represent an organization or government entity as follows—

(i) one trustee shall have expertise in aspects of domesticated livestock management, production, and marketing, including range management and livestock business management;

(ii) one trustee shall have expertise in the management of game and nongame wildlife and fish populations, including hunting, fishing, and other recreational activities;

(iii) one trustee shall have expertise in the sustainable management of forest lands for commodity and noncommodity purposes;

(iv) one trustee shall be active in a nonprofit conservation organization concerned with the activities of the Forest Service;

(v) one trustee shall have expertise in financial management, budget and program analysis, and small business operations;

(vi) one trustee shall have expertise in the cultural and natural history of the region; and

(vii) one trustee shall be active in State or local government in New Mexico, with expertise in the customs of the local area.

(2) **QUALIFICATIONS.**—Of the trustees appointed by the President—

(A) none shall be employees of the Federal Government; and

(B) at least five shall be residents of the State of New Mexico.

(b) **INITIAL APPOINTMENTS.**—The President shall make the initial appointments to the Board of Trustees within 90 days after acquisition of the Baca ranch under section 104(a).

(c) **TERMS.**—

(1) **IN GENERAL.**—Appointed trustees shall each serve a term of 4 years, except that of the trustees first appointed, 4 shall serve for a term of 4 years, and 3 shall serve for a term of 2 years.

(2) **VACANCIES.**—Any vacancy among the appointed trustees shall be filled in the same manner in which the original appointment was made, and any trustee appointed to fill a vacancy shall serve for the remainder of that term for which his or her predecessor was appointed.

(3) **LIMITATIONS.**—No appointed trustee may serve more than 8 years in consecutive terms.

(d) **QUORUM.**—A majority of trustees shall constitute a quorum of the Board for the conduct of business.

(e) **ORGANIZATION AND COMPENSATION.**—

(1) **IN GENERAL.**—The Board shall organize itself in such a manner as it deems most appropriate to effectively carry out the activities of the Trust.

(2) **COMPENSATION OF TRUSTEES.**—Trustees shall serve without pay, but may be reimbursed from the funds of the Trust for the actual and necessary travel and subsistence expenses incurred by them in the performance of their duties.

(3) **CHAIR.**—Trustees shall select a chair from the membership of the Board.

(f) **LIABILITY OF TRUSTEES.**—Appointed trustees shall not be considered Federal employees by virtue of their membership on the Board, except for purposes of the Federal Tort Claims Act, the Ethics in Government Act, and the provisions of chapter 11 of title 18, United States Code.

(g) **MEETINGS.**—

(1) **LOCATION AND TIMING OF MEETINGS.**—The Board shall meet in sessions open to the public at least three times per year in New Mexico. Upon a majority vote made in open session, and a public statement of the reasons therefore, the Board may close any other meetings to the public: *Provided*, That any final decision of the Board to adopt or amend the comprehensive management program under section 108(d) or to approve any activity related to the management of the land or resources of the Preserve shall be made in open public session.

(2) **PUBLIC INFORMATION.**—In addition to other requirements of applicable law, the Board shall establish procedures for providing appropriate public information and periodic opportunities for public comment regarding the management of the Preserve.

SEC. 108. RESOURCE MANAGEMENT.

(a) **ASSUMPTION OF MANAGEMENT.**—The Trust shall assume all authority provided by this title to manage the Preserve upon a determination by the Secretary, which to the maximum extent practicable shall be made within 60 days after the appointment of the Board, that—

(1) the Board is duly appointed, and able to conduct business; and

(2) provision has been made for essential management services.

(b) **MANAGEMENT RESPONSIBILITIES.**—Upon assumption of management of the Preserve under subsection (a), the Trust shall manage the land and resources of the Preserve and the use thereof including, but not limited to such activities as—

(1) administration of the operations of the Preserve;

(2) preservation and development of the land and resources of the Preserve;

(3) interpretation of the Preserve and its history for the public;

(4) management of public use and occupancy of the Preserve; and

(5) maintenance, rehabilitation, repair, and improvement of property within the Preserve.

(c) **AUTHORITIES.**—

(1) **IN GENERAL.**—The Trust shall develop programs and activities at the Preserve, and shall have the authority to negotiate directly and enter into such agreements, leases, contracts and other arrangements with any person, firm, association, organization, corporation or governmental entity, including without limitation, entities of Federal, State, and local governments, and consultation with Indian tribes and pueblos, as are necessary and appropriate to carry out its authorized activities or fulfill the purposes of this title. Any such agreements may be entered into without regard to section 321 of the Act of June 30, 1932 (40 U.S.C. 303b).

(2) **PROCEDURES.**—The Trust shall establish procedures for entering into lease agreements and other agreements for the use and occupancy of facilities of the Preserve. The procedures shall ensure reasonable competition, and set guidelines for determining reasonable fees, terms, and conditions for such agreements.

(3) **LIMITATIONS.**—The Trust may not dispose of any real property in, or convey any water rights appurtenant to the Preserve. The Trust may not convey any easement, or enter into any contract, lease, or other agreement related to use and occupancy of property within the Preserve for a period greater than 10 years. Any such easement, contract, lease, or other agreement shall provide that, upon termination of the Trust, such easement, contract, lease or agreement is terminated.

(4) **APPLICATION OF PROCUREMENT LAWS.**—

(A) **IN GENERAL.**—Notwithstanding any other provision of law, Federal laws and regulations governing procurement by Federal agencies shall not apply to the Trust, with the exception of laws and regulations related to Federal Government contracts governing health and safety requirements, wage rates, and civil rights.

(B) **PROCEDURES.**—The Trust, in consultation with the Administrator of Federal Procurement Policy, Office of Management and Budget, shall establish and adopt procedures applicable to the Trust's procurement of goods and services, including the award of contracts on the basis of contractor qualifications, price, commercially reasonable buying practices, and reasonable competition.

(d) **MANAGEMENT PROGRAM.**—Within two years after assumption of management responsibilities for the Preserve, the Trust shall, in accordance with subsection (f), develop a comprehensive program for the management of lands, resources, and facilities within the Preserve to carry out the purposes under section 105(b). To the extent consistent with such purposes, such program shall provide for—

(1) operation of the Preserve as a working ranch, consistent with paragraphs (2) through (4);

(2) the protection and preservation of the scientific, scenic, geologic, watershed, fish, wildlife, historic, cultural and recreational values of the Preserve;

(3) multiple use and sustained yield of renewable resources within the Preserve;

(4) public use of and access to the Preserve for recreation;

(5) renewable resource utilization and management alternatives that, to the extent practicable—

(A) benefit local communities and small businesses;

(B) enhance coordination of management objectives with those on surrounding National Forest System land; and

(C) provide cost savings to the Trust through the exchange of services, including but not limited to labor and maintenance of facilities, for resources or services provided by the Trust; and

(6) optimizing the generation of income based on existing market conditions, to the extent that it does not unreasonably diminish the long-term scenic and natural values of the area, or the multiple use and sustained yield capability of the land.

(e) **PUBLIC USE AND RECREATION.**—

(1) **IN GENERAL.**—The Trust shall give thorough consideration to the provision of appropriate opportunities for public use and recreation that are consistent with the other purposes under section 105(b). The Trust is expressly authorized to construct and upgrade roads and bridges, and provide other facilities for activities including, but not limited to camping and picnicking, hiking, and cross country skiing. Roads, trails, bridges, and recreational facilities constructed within the Preserve shall meet public safety standards applicable to units of the National Forest System and the State of New Mexico.

(2) **FEES.**—Notwithstanding any other provision of law, the Trust is authorized to assess reasonable fees for admission to, and the use and occupancy of, the Preserve: *Provided*, That admission fees and any fees assessed for recreational activities shall be implemented only after public notice and a period of not less than 60 days for public comment.

(3) **PUBLIC ACCESS.**—Upon the acquisition of the Baca ranch under section 104(a), and after an interim planning period of no more than two years, the public shall have reasonable access to the Preserve for recreation purposes. The Secretary, prior to assumption of management of the Preserve by the Trust, and the Trust thereafter, may reasonably limit the number and types of recreational admissions to the Preserve, or any part thereof, based on the capability of the land, resources, and facilities. The use of reservation or lottery systems is expressly authorized to implement this paragraph.

(f) **APPLICABLE LAWS.**—

(1) **IN GENERAL.**—The Trust, and the Secretary in accordance with section 109(b), shall administer the Preserve in conformity with this title and all laws pertaining to the National Forest System, except the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended (16 U.S.C. 1600 et seq.).

(2) **ENVIRONMENTAL LAWS.**—The Trust shall be deemed a Federal agency for the purposes of compliance with Federal environmental laws.

(3) **CRIMINAL LAWS.**—All criminal laws relating to Federal property shall apply to the same extent as on adjacent units of the National Forest System.

(4) **REPORTS ON APPLICABLE RULES AND REGULATIONS.**—The Trust may submit to the Secretary and the Committees of Congress a compilation of applicable rules and regulations which in the view of the Trust are inappropriate, incompatible with this title, or unduly burdensome.

(5) **CONSULTATION WITH TRIBES AND PUEBLOS.**—The Trust is authorized and directed to cooperate and consult with Indian tribes and pueblos on management policies and practices for the Preserve which may affect them. The Trust is authorized to allow the use of lands within the Preserve for religious and cultural uses by Native Americans and,

in so doing, may set aside places and times of exclusive use consistent with the American Indian Religious Freedom Act (42 U.S.C. 1996 (note)) and other applicable statutes.

(6) **NO ADMINISTRATIVE APPEAL.**—The administrative appeals regulations of the Secretary shall not apply to activities of the Trust and decisions of the Board.

(g) **LAW ENFORCEMENT AND FIRE MANAGEMENT.**—The Secretary shall provide law enforcement services under a cooperative agreement with the Trust to the extent generally authorized in other units of the National Forest System. The Trust shall be deemed a Federal agency for purposes of the law enforcement authorities of the Secretary (within the meaning of section 15008 of the National Forest System Drug Control Act of 1986 (16 U.S.C. 559g)). At the request of the Trust, the Secretary may provide fire suppression, fire suppression, and rehabilitation services: *Provided*, That the Trust shall reimburse the Secretary for salaries and expenses of fire management personnel, commensurate with services provided.

SEC. 109. AUTHORITIES OF THE SECRETARY.

(a) **IN GENERAL.**—Notwithstanding the assumption of management of the Preserve by the Trust, the Secretary is authorized to—

(1) issue any rights-of-way, as defined in the Federal Land Policy and Management Act of 1976, of over 10 years duration, in cooperation with the Trust, including, but not limited to, road and utility rights-of-way, and communication sites;

(2) issue orders under and enforce prohibitions generally applicable on other units of the National Forest System, in cooperation with the Trust;

(3) exercise the authorities of the Secretary under the Wild and Scenic Rivers Act (16 U.S.C. 1278, et seq.) and the Federal Power Act (16 U.S.C. 797, et seq.), in cooperation with the Trust;

(4) acquire the mineral rights referred to in section 104(e);

(5) provide law enforcement and fire management services under section 108(g);

(6) at the request of the Trust, exchange land or interests in land within the Preserve under laws generally applicable to other units of the National Forest System, or otherwise dispose of land or interests in land within the Preserve under Public Law 97-465 (16 U.S.C. 521c through 521i);

(7) in consultation with the Trust, refer civil and criminal cases pertaining to the Preserve to the Department of Justice for prosecution;

(8) retain title to and control over fossils and archaeological artifacts found within the Preserve;

(9) at the request of the Trust, construct and operate a visitors' center in or near the Preserve, subject to the availability of appropriated funds;

(10) conduct the assessment of the Trust's performance, and, if the Secretary determines it necessary, recommend to Congress the termination of the Trust, under section 110(b)(2); and

(11) conduct such other activities for which express authorization is provided to the Secretary by this title.

(b) **INTERIM MANAGEMENT.**—

(1) **IN GENERAL.**—The Secretary shall manage the Preserve in accordance with this title during the interim period from the date of acquisition of the Baca ranch under section 104(a) to the date of assumption of management of the Preserve by the Trust under section 108. The Secretary may enter into any agreement, lease, contract, or other arrangement on the same basis as the Trust under section 108(c)(1): *Provided*, That any agreement, lease, contract, or other arrangement entered into by the Secretary shall not

exceed two years in duration unless expressly extended by the Trust upon its assumption of management of the Preserve.

(2) **USE OF THE FUND.**—All monies received by the Secretary from the management of the Preserve during the interim period under paragraph (1) shall be deposited into the "Valles Caldera Fund" established under section 106(h)(2), and such monies in the fund shall be available to the Secretary, without further appropriation, for the purpose of managing the Preserve in accordance with the responsibilities and authorities provided to the Trust under section 108.

(c) **SECRETARIAL AUTHORITY.**—The Secretary retains the authority to suspend any decision of the Board with respect to the management of the Preserve if he finds that the decision is clearly inconsistent with this title. Such authority shall only be exercised personally by the Secretary, and may not be delegated. Any exercise of this authority shall be in writing to the Board, and notification of the decision shall be given to the Committees of Congress. Any suspended decision shall be referred back to the Board for reconsideration.

(d) **ACCESS.**—The Secretary shall at all times have access to the Preserve for administrative purposes.

SEC. 110. TERMINATION OF THE TRUST.

(a) **IN GENERAL.**—The Valles Caldera Trust shall terminate at the end of the twentieth full fiscal year following acquisition of the Baca ranch under section 104(a).

(b) **RECOMMENDATIONS.**—

(1) **BOARD.**—

(A) If after the fourteenth full fiscal years from the date of acquisition of the Baca ranch under section 104(a), the Board believes the Trust has met the goals and objectives of the comprehensive management program under section 108(d), but has not become financially self-sustaining, the Board may submit to the Committees of Congress, a recommendation for authorization of appropriations beyond that provided under this title.

(B) During the eighteenth full fiscal year from the date of acquisition of the Baca ranch under section 104(a), the Board shall submit to the Secretary its recommendation that the Trust be either extended or terminated including the reasons for such recommendation.

(2) **SECRETARY.**—Within 120 days after receipt of the recommendation of the Board under paragraph (1)(B), the Secretary shall submit to the Committees of Congress the Board's recommendation on extension or termination along with the recommendation of the Secretary with respect to the same and stating the reasons for such recommendation.

(c) **EFFECT OF TERMINATION.**—In the event of termination of the Trust, the Secretary shall assume all management and administrative functions over the Preserve, and it shall thereafter be managed as a part of the Santa Fe National Forest, subject to all laws applicable to the National Forest System.

(d) **ASSETS.**—In the event of termination of the Trust, all assets of the Trust shall be used to satisfy any outstanding liabilities, and any funds remaining shall be transferred to the Secretary for use, without further appropriation, for the management of the Preserve.

(e) **VALLES CALDERA FUND.**—In the event of termination, the Secretary shall assume the powers of the Trust over funds under section 106(h), and the Valles Caldera Fund shall not terminate. Any balances remaining in the fund shall be available to the Secretary, without further appropriation, for any purpose consistent with the purposes of this title.

SEC. 111. LIMITATIONS ON FUNDING.

(a) **AUTHORIZATION OF APPROPRIATIONS.**—There is hereby authorized to be appropriated to the Secretary and the Trust such funds as are necessary for them to carry out the purposes of this title for each of the 15 full fiscal years after the date of acquisition of the Baca ranch under section 104(a).

(b) **SCHEDULE OF APPROPRIATIONS.**—Within two years after the first meeting of the Board, the Trust shall submit to Congress a plan which includes a schedule of annual decreasing appropriated funds that will achieve, at a minimum, the financially self-sustained operation of the Trust within 15 full fiscal years after the date of acquisition of the Baca ranch under section 104(a).

SEC. 112. GENERAL ACCOUNTING OFFICE STUDY.

(a) **INITIAL STUDY.**—Three years after the assumption of management by the Trust, the General Accounting Office shall conduct an interim study of the activities of the Trust and shall report the results of the study to the Committees of Congress. The study shall include, but shall not be limited to, details of programs and activities operated by the Trust and whether it met its obligations under this title.

(b) **SECOND STUDY.**—Seven years after the assumption of management by the Trust, the General Accounting Office shall conduct a study of the activities of the Trust and shall report the results of the study to the Committees of Congress. The study shall provide an assessment of any failure to meet obligations that may be identified under subsection (a), and further evaluation on the ability of the Trust to meet its obligations under this title.

TITLE II—FEDERAL LAND TRANSACTION FACILITATION

SEC. 201. SHORT TITLE.

This title may be cited as the "Federal Land Transaction Facilitation Act".

SEC. 202. FINDINGS.

Congress finds that—

(1) the Bureau of Land Management has authority under the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) to sell land identified for disposal under its land use planning;

(2) the Bureau of Land Management has authority under that Act to exchange Federal land for non-Federal land if the exchange would be in the public interest;

(3) through land use planning under that Act, the Bureau of Land Management has identified certain tracts of public land for disposal;

(4) the Federal land management agencies of the Departments of the Interior and Agriculture have authority under existing law to acquire land consistent with the mission of each agency;

(5) the sale or exchange of land identified for disposal and the acquisition of certain non-Federal land from willing landowners would—

(A) allow for the reconfiguration of land ownership patterns to better facilitate resource management;

(B) contribute to administrative efficiency within Federal land management units; and

(C) allow for increased effectiveness of the allocation of fiscal and human resources within the Federal land management agencies;

(6) a more expeditious process for disposal and acquisition of land, established to facilitate a more effective configuration of land ownership patterns, would benefit the public interest;

(7) many private individuals own land within the boundaries of Federal land management units and desire to sell the land to the Federal Government;

(8) such land lies within national parks, national monuments, national wildlife refuges, national forests, and other areas designated for special management;

(9) Federal land management agencies are facing increased workloads from rapidly growing public demand for the use of public land, making it difficult for Federal managers to address problems created by the existence of inholdings in many areas;

(10) in many cases, inholders and the Federal Government would mutually benefit from Federal acquisition of the land on a priority basis;

(11) proceeds generated from the disposal of public land may be properly dedicated to the acquisition of inholdings and other land that will improve the resource management ability of the Federal land management agencies and adjoining landowners;

(12) using proceeds generated from the disposal of public land to purchase inholdings and other such land from willing sellers would enhance the ability of the Federal land management agencies to—

(A) work cooperatively with private landowners and State and local governments; and

(B) promote consolidation of the ownership of public and private land in a manner that would allow for better overall resource management;

(13) in certain locations, the sale of public land that has been identified for disposal is the best way for the public to receive fair market value for the land; and

(14) to allow for the least disruption of existing land and resource management programs, the Bureau of Land Management may use non-Federal entities to prepare appraisal documents for agency review and approval consistent with applicable provisions of the Uniform Standards for Federal Land Acquisition.

SEC. 203. DEFINITIONS.

In this title:

(1) **EXCEPTIONAL RESOURCE.**—The term “exceptional resource” means a resource of scientific, natural, historic, cultural, or recreational value that has been documented by a Federal, State, or local governmental authority, and for which there is a compelling need for conservation and protection under the jurisdiction of a Federal agency in order to maintain the resource for the benefit of the public.

(2) **FEDERALLY DESIGNATED AREA.**—The term “federally designated area” means land in Alaska and the eleven contiguous Western States (as defined in section 103(o) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702(o))) that on the date of enactment of this Act was within the boundary of—

(A) a national monument, area of critical environmental concern, national conservation area, national riparian conservation area, national recreation area, national scenic area, research natural area, national outstanding natural area, or a national natural landmark managed by the Bureau of Land Management;

(B) a unit of the National Park System;

(C) a unit of the National Wildlife Refuge System;

(D) an area of the National Forest System designated for special management by an Act of Congress; or

(E) an area within which the Secretary or the Secretary of Agriculture is otherwise authorized by law to acquire lands or interests therein that is designated as—

(i) wilderness under the Wilderness Act (16 U.S.C. 1131 et seq.);

(ii) a wilderness study area;

(iii) a component of the Wild and Scenic Rivers System under the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.); or

(iv) a component of the National Trails System under the National Trails System Act (16 U.S.C. 1241 et seq.).

(3) **INHOLDING.**—The term “inholding” means any right, title, or interest, held by a non-Federal entity, in or to a tract of land that lies within the boundary of a federally designated area.

(4) **PUBLIC LAND.**—The term “public land” means public lands (as defined in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702)).

(5) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

SEC. 204. IDENTIFICATION OF INHOLDINGS.

(a) **IN GENERAL.**—The Secretary and the Secretary of Agriculture shall establish a procedure to—

(1) identify, by State, inholdings for which the landowner has indicated a desire to sell the land or interest therein to the United States; and

(2) prioritize the acquisition of inholdings in accordance with section 206(c)(3).

(b) **PUBLIC NOTICE.**—As soon as practicable after the date of enactment of this title and periodically thereafter, the Secretary and the Secretary of Agriculture shall provide public notice of the procedures referred to in subsection (a), including any information necessary for the consideration of an inholding under section 206. Such notice shall include publication in the Federal Register and by such other means as the Secretary and the Secretary of Agriculture determine to be appropriate.

(c) **IDENTIFICATION.**—An inholding—

(1) shall be considered for identification under this section only if the Secretary or the Secretary of Agriculture receive notification of a desire to sell from the landowner in response to public notice given under subsection (b); and

(2) shall be deemed to have been established as of the later of—

(A) the earlier of—

(i) the date on which the land was withdrawn from the public domain; or

(ii) the date on which the land was established or designated for special management; or

(B) the date on which the inholding was acquired by the current owner.

(d) **NO OBLIGATION TO CONVEY OR ACQUIRE.**—The identification of an inholding under this section creates no obligation on the part of a landowner to convey the inholding or any obligation on the part of the United States to acquire the inholding.

SEC. 205. DISPOSAL OF PUBLIC LAND.

(a) **IN GENERAL.**—The Secretary shall establish a program, using funds made available under section 206, to complete appraisals and satisfy other legal requirements for the sale or exchange of public land identified for disposal under approved land use plans (as in effect on the date of enactment of this Act) under section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712).

(b) **SALE OF PUBLIC LAND.**—

(1) **IN GENERAL.**—The sale of public land so identified shall be conducted in accordance with sections 203 and 209 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1713, 1719).

(2) **EXCEPTIONS TO COMPETITIVE BIDDING REQUIREMENTS.**—The exceptions to competitive bidding requirements under section 203(f) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1713(f)) shall apply to this section in cases in which the Secretary determines it to be necessary.

(c) **REPORT IN PUBLIC LAND STATISTICS.**—The Secretary shall provide in the annual publication of Public Land Statistics, a report of activities under this section.

(d) **TERMINATION OF AUTHORITY.**—The authority provided under this section shall terminate 10 years after the date of enactment of this Act.

SEC. 206. FEDERAL LAND DISPOSAL ACCOUNT.

(a) **DEPOSIT OF PROCEEDS.**—Notwithstanding any other law (except a law that specifically provides for a proportion of the proceeds to be distributed to any trust funds of any States), the gross proceeds of the sale or exchange of public land under this Act shall be deposited in a separate account in the Treasury of the United States to be known as the “Federal Land Disposal Account”.

(b) **AVAILABILITY.**—Amounts in the Federal Land Disposal Account shall be available to the Secretary and the Secretary of Agriculture, without further Act of appropriation, to carry out this title.

(c) **USE OF THE FEDERAL LAND DISPOSAL ACCOUNT.**—

(1) **IN GENERAL.**—Funds in the Federal Land Disposal Account shall be expended in accordance with this subsection.

(2) **FUND ALLOCATION.**—

(A) **PURCHASE OF LAND.**—Except as authorized under subparagraph (C), funds shall be used to purchase lands or interests therein that are otherwise authorized by law to be acquired, and that are—

(i) inholdings; and

(ii) adjacent to federally designated areas and contain exceptional resources.

(B) **INHOLDINGS.**—Not less than 80 percent of the funds allocated for the purchase of land within each State shall be used to acquire inholdings identified under section 204.

(C) **ADMINISTRATIVE AND OTHER EXPENSES.**—An amount not to exceed 20 percent of the funds deposited in the Federal Land Disposal Account may be used by the Secretary for administrative and other expenses necessary to carry out the land disposal program under section 205.

(D) **SAME STATE PURCHASES.**—Of the amounts not used under subparagraph (C), not less than 80 percent shall be expended within the State in which the funds were generated. Any remaining funds may be expended in any other State.

(3) **PRIORITY.**—The Secretary and the Secretary of Agriculture shall develop a procedure for prioritizing the acquisition of inholdings and non-Federal lands with exceptional resources as provided in paragraph (2). Such procedure shall consider—

(A) the date the inholding was established (as provided in section 204(c));

(B) the extent to which acquisition of the land or interest therein will facilitate management efficiency; and

(C) such other criteria as the Secretary and the Secretary of Agriculture deem appropriate.

(4) **BASIS OF SALE.**—Any land acquired under this section shall be—

(A) from a willing seller;

(B) contingent on the conveyance of title acceptable to the Secretary, or the Secretary of Agriculture in the case of an acquisition of National Forest System land, using title standards of the Attorney General;

(C) at a price not to exceed fair market value consistent with applicable provisions of the Uniform Appraisal Standards for Federal Land Acquisitions; and

(D) managed as part of the unit within which it is contained.

(d) **CONTAMINATED SITES AND SITES DIFFICULT AND UNECONOMIC TO MANAGE.**—Funds in the Federal Land Disposal Account shall not be used to purchase land or an interest in land that, as determined by the Secretary or the Secretary of Agriculture—

(1) contains a hazardous substance or is otherwise contaminated; or

(2) because of the location or other characteristics of the land, would be difficult or uneconomic to manage as Federal land.

(e) LAND AND WATER CONSERVATION FUND ACT.—Funds made available under this section shall be supplemental to any funds appropriated under the Land and Water Conservation Fund Act (16 U.S.C. 4601-4 et seq.).

(f) TERMINATION.—On termination of activities under section 205—

(1) the Federal Land Disposal Account shall be terminated; and

(2) any remaining balance in the account shall become available for appropriation under section 3 of the Land and Water Conservation Fund Act (16 U.S.C. 4601-6).

SEC. 207. SPECIAL PROVISIONS.

(a) IN GENERAL.—Nothing in this title provides an exemption from any limitation on the acquisition of land or interest in land under any Federal law in effect on the date of enactment of this Act.

(b) OTHER LAW.—This title shall not apply to land eligible for sale under—

(1) Public Law 96-568 (commonly known as the "Santini-Burton Act") (94 Stat. 3381); or

(2) the Southern Nevada Public Land Management Act of 1998 (112 Stat. 2343).

(c) EXCHANGES.—Nothing in this title precludes, preempts, or limits the authority to exchange land under authorities providing for the exchange of Federal lands, including but not limited to—

(1) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); or

(2) the Federal Land Exchange Facilitation Act of 1988 (102 Stat. 1086) or the amendments made by that Act.

(d) NO NEW RIGHT OR BENEFIT.—Nothing in this Act creates a right or benefit, substantive or procedural, enforceable at law or in equity by a party against the United States, its agencies, its officers, or any other person.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. HANSEN) and the gentleman from New Mexico (Mr. UDALL) each will control 20 minutes.

The Chair recognizes the gentleman from Utah (Mr. HANSEN).

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

Mr. Speaker, S. 1892, sponsored by Senator DOMENICI, authorizes the acquisition of the Valles Caldera or better known as the Baca Ranch. The full committee held a hearing on the House version of the bill, H.R. 3288, sponsored by the gentlewoman from New Mexico (Mrs. WILSON) and the gentleman from New Mexico (Mr. UDALL) on May 1 of this year.

The gentlewoman from New Mexico (Mrs. WILSON) deserves the credit for getting this bill to the floor today. I would like to publicly thank her for her tireless efforts in working on this bill. I do not know anyone that has ever worked harder on a bill than the gentlewoman from New Mexico (Mrs. WILSON) has on this one.

The Baca Ranch is approximately 95,000 acres of land located within the Santa Fe National Forest of New Mexico. This land emanates from a Spanish land grant in 1821, and this actual property was deeded by Congress in 1860 and has been used primarily as a ranch for more than 100 years.

S. 1892 mandates the acquisition of the Baca Ranch with funds that were

appropriated last year. S. 1892 sets up a unique opportunity for the Federal Government to acquire this ranch, but does it through a trust agreement that will allow these lands to continue to be managed as they have been for decades.

The bill establishes the Valles Caldera National Preserve, which will be managed by a trust established within the legislation. The Preserve is designed to operate as a government corporation and is expected to be self-sustaining within 15 years. This type of trust arrangement was first implemented at the Presidio in San Francisco. The Baca Ranch is yet another great opportunity to take a piece of unique land and manage it in a way that maintains its historic uses and stresses self-sufficiency.

Title II of the bill authorizes the BLM to sell parcels of Federal land that are identified for disposal with the proceeds staying within the agency to acquire in holdings within Federal designated areas among all of the land management agencies. This provision will streamline Federal land sales and exchanges. This will be an important management tool for our Federal land managers to dispose of unneeded lands and acquire in holdings.

Once again, I would like to thank my colleagues for getting this bill to the floor of the House today. I urge my colleagues to support this important legislation that has the approval of the New Mexico delegation and of the President of the United States.

Mr. Speaker, I submit the following communication for the RECORD.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON COMMERCE,
Washington, DC, July 11, 2000.

Hon. DON YOUNG,
Chairman, Committee on Resources, Washington, DC.

DEAR DON: I am writing with regard to S. 1892, the Valles Caldera Preservation Act. As you know, Rule X of the Rules of the House of Representatives grants the Committee on Commerce jurisdiction over the generation and marketing of power. As you are aware, section 109(a)(3) of the bill clarifies that the Secretary of Agriculture may continue to exercise his authority to impose mandatory conditions on the issuance of certain hydropower licenses issued by the Federal Energy Regulatory Commission in "cooperation" with the Valles Caldera Trust.

Because of the importance of this legislation, and your commitment to include report language that clarifies that this paragraph does not alter the authority or responsibilities of the Secretary under the Federal Power Act, I will not exercise the Committee's right to a sequential referral. By agreeing to waive its consideration of the bill, however, the Committee on Commerce does not waive its jurisdiction over S. 1892. In addition, the Commerce Committee reserves its authority to seek conferees on any provisions of the bill that are within its jurisdiction during any House-Senate conference that may be convened on this legislation. I ask for your commitment to support any request by the Commerce Committee for conferees on S. 1892 or similar legislation.

I request that you include this letter and your response as part of the RECORD during consideration of the legislation on the House floor.

Thank you for your attention to these matters.

Sincerely,

TOM BILEY,
Chairman.

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

Mr. UDALL of New Mexico. Mr. Speaker, I yield myself such time as I may consume.

(Mr. UDALL of New Mexico asked and was given permission to revise and extend his remarks.)

Mr. UDALL of New Mexico. Mr. Speaker, the Valles Caldera Preservation Act will secure the Baca Ranch for the people of our Nation. The stunning 95,000 acre Baca Ranch sits in the heart of my congressional district. The vast landscape includes over 25 miles of streams, mountain peaks as high as 11,000 feet, and the Valles Caldera, a 15-mile-wide remnant of an ancient volcano. This unique geological feature is well-known around the world and has been seen by astronauts from space.

Other open lands that surround the Valles Caldera include the Santa Fe National Forest, Bandelier National Monument and the Jemez National Recreation Area. The Baca Ranch is home to teaming amounts of wildlife, including New Mexico's largest wild elk herd, mule deer, mountain lions and rainbow and brown trout.

The land also has unique historic value as part of the land grant heritage of northern New Mexico. The Baca Ranch grew out of land granted to Don Luis Maria Cabeza de Vaca in 1841. Over the years, the vast resources of the Baca Ranch have benefited the people of New Mexico. Historically and in modern times, the forests have been harvested and cattle have grazed on the lush grasslands.

The potential public uses of the Baca Ranch land are remarkable. As wild as the land is, it is close to the communities of Santa Fe and Albuquerque, making it easily accessible to the public. Recreational opportunities including fishing, hunting, hiking, camping, and cross-country skiing abound on the Baca.

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A key aspect of the Baca Ranch bill is that it will continue to be a working ranch. Following the Dunnigan family's example of responsible stewardship, I am both hopeful and confident that the ranch will be managed so it supports both traditional livestock activities and wildlife. Public ownership of the Baca means that traditional to Mexican families will have the same opportunities to join others that are able to enjoy the land.

One issue of concern to me has been the accessibility of the Baca Ranch to the general public for hunting and fishing. I raised this issue earlier in the Committee on Resources. I did not offer an amendment because I wished to work with the administration and other Members in resolving this issue. In my discussions with the administration, I have now been assured that fairness and equity will apply to those

wishing to use this beautiful ranch for recreational purposes, including hunting and fishing.

In a letter sent to me on May 25 of this year from George Frampton, acting chair of the Council on Environmental Quality, Mr. Frampton states, "While efforts at income generation may include the charging of fees for hunting and other activities on the property, the Preserve will be a public asset. As such, any fees for activities in which the public is likely to participate should be reasonable and affordable. Restrictions on hunting that may be necessary due to resource limitations should be accomplished through reservation or lottery systems and not through the charging of excessive or exorbitant fees."

Mr. Speaker, I include Mr. Frampton's letter for the RECORD.

EXECUTIVE OFFICE OF THE PRESIDENT,
COUNCIL ON ENVIRONMENTAL
QUALITY,

Washington, DC, May 25, 2000.

Representative TOM UDALL,
*United States House of Representatives, Wash-
ington, DC.*

DEAR REPRESENTATIVE UDALL: This is to confirm our telephone conversation regarding the Valles Caldera property in your District. Due in part to your hard work, the Forest Service is closer than it has ever been to acquiring this property and assuring its preservation for future generations, although it does not yet have the authority to finalize this acquisition. As you know, authorizing legislation is required before the transaction can take place. Such legislation, which the Administration supports, has passed the Senate and was considered by the House Resources Committee yesterday. This legislation provides for management of the property by a board of trustees, and establishes requirements and guidance for the Trust in this regard.

You have asked about the Administration's understanding of the intent of this legislation with respect to fees for hunting that may be permitted on the property. It is our understanding that the foremost responsibility of the Trust managers of this property should it come into federal ownership will be protection and conservation of its natural, scientific and historic resources. Other management goals, including income generation, are to be pursued only to the extent that they are consistent with resource protection.

While efforts at income generation may include the charging of fees for hunting and other activities on the property, the Preserve will be a public asset. As such, any fees for activities in which the public is likely to participate should be reasonable and affordable. Restrictions on hunting that may be necessary due to resource limitations should be accomplished through reservation or lottery systems, and not through the charging of excessive or exorbitant fees.

I trust this information on the Administration's understanding of the legislation as currently drafted is useful. I look forward to working with you to protect this unique and wonderful part of your congressional district for future generations of New Mexicans and all Americans.

Sincerely,

GEORGE T. FRAMPTON, Jr.,

Acting Chair.

Mr. UDALL of New Mexico. Mr. Speaker, these assurances made by Mr. Frampton and the administration make me much more comfortable with

the objectives of this historic piece of legislation. This bill is before us as the result of a bipartisan, bicameral effort to acquire the Baca for the American public, providing the present and future generations an invaluable gift.

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

Mr. HANSEN. Mr. Speaker, I yield such time as she may consume to the gentlewoman from New Mexico (Mrs. WILSON), the sponsor of this legislation.

Mrs. WILSON. Mr. Speaker, I rise today to support the passage of S. 1872 which will purchase the Baca Ranch for the people of New Mexico and the people of this country.

The Baca includes an area known as the Valles Caldera in northern New Mexico. It is bordered by the Santa Fe National Forest and also the Bandelier National Monument. It is almost 95,000 acres of beautiful land that has been in private hands and conserved in private hands since 1860. But its geological significance is something that really makes it a national unique treasure.

Mr. Speaker, 1.6 million years ago, there were volcanoes in the area, and one of the most well-preserved ones is the Valles Caldera. It is 15 miles in diameter, and one can still see the rim of the volcano. That volcano was 600 times more powerful than Mount Saint Helens and the ash from that volcano is spread across the United States and can be found in Kansas and Texas and Oklahoma. That collapsed volcano is now perfectly preserved. It was never disturbed, and it is a wonderful geological treasure that should be preserved so that it can be studied.

In addition, on the 90,000 acres of the Baca, which has been very well conserved by the Dunnigan family that has owned it for so long, there are 17 threatened or endangered species that also have been protected. The appropriation for the bill has already been passed, \$101 million in the fiscal year 2000 Interior Appropriations, but that money was subject to passing this authorization bill, and we need to move forward with it.

In 1999, Senator DOMENICI, Senator BINGAMAN, and the President of the United States agreed on a unique management plan for Baca that will be unlike most public lands and Federal lands in this country. The State of New Mexico is already owned one-third by the Federal Government.

This management plan that is included in the bill and identical to the House bill that I was the sponsor of has a unique approach. It sets up a special trust for the management of the Baca. It will not be just regular Federal land. That special trust is a government corporation and will be run by a board of trustees that includes nine members, five of whom must be New Mexicans. The land must be managed for the benefit and enjoyment of the people of the United States, but also should try to be self-sustaining. The management of that piece of land will not be under

some Washington bureaucracy, but under a board of trustees given unique powers, and I think it serves as a real model for the management in the future of our Federal lands.

Title II of the bill is also unique. One of the great barriers to buying beautiful pieces of land like the Baca is that there is no money in the pot, because Federal agencies have not sold off surplus lands, lands that the agencies themselves say are surplus to any requirement that the Federal Government may have for them. So the money is not there to buy things like the Baca or Tres Tisoles in my district that I was able to secure funds for in 1998, or even the inholdings in places like the Petroglyph National Monument, also in my district, where there are private landowners completely surrounded by a national monument by Federal lands.

So this bill says that these Federal agencies should come up with a plan to sell off surplus lands, to replenish the pot so that we can buy beautiful pieces of property with national significance like the Baca. The money that is used from selling off those surplus lands will be used by the BLM and others to buy pieces of land like the Baca. Eighty percent of the funds that are obtained by land sales have to be used in the State where the land is sold so that there is benefit to the people of the State where the land is sold. The money can only be purchased for inholdings and surrounding lands from willing sellers at a fair market value.

Mr. Speaker, I think that this is a unique approach to the management of public lands, and it preserves a piece of property in northern New Mexico which is unique in this country. It is a beautiful place and is worthy of preservation, and I am very pleased that we have been able to work together to get this bill to the floor of the House. I particularly want to thank the gentleman from Utah (Mr. HANSEN) for his help and leadership for coming to New Mexico and seeing this beautiful piece of property and for helping to bring this bill to the floor.

Mr. UDALL of New Mexico. Mr. Speaker, I reserve the balance of my time.

Mr. HANSEN. Mr. Speaker, I yield such time as he may consume to the gentleman from Tennessee (Mr. DUNCAN).

Mr. DUNCAN. Mr. Speaker, I thank the gentleman from Utah for yielding me this time.

I rise in opposition to this legislation to purchase the Baca Ranch in New Mexico. I know this bill is going to pass with an overwhelming majority and almost no opposition. In fact, I have not sent out "Dear Colleagues" or tried to stir up opposition in any way because the votes simply would not be there. I would say too that I believe that the gentlewoman from New Mexico (Mrs. WILSON) and the gentleman from New Mexico (Mr. UDALL) are simply doing what good Members from New Mexico should do.

However, I think this is a very bad deal for the taxpayers. In fact, this bill is strongly opposed by the Citizens Against Government Waste, the 600,000-member Citizens Against Government Waste. A portion of that letter says, "According to the Congressional Research Service, that price," the price the owners of the Baca Ranch paid for "when adjusted for inflation would be the equivalent of \$11.7 million today. However, the legislation will force the taxpayers to pay nearly 10 times that amount, or 50 times the original purchase price, a whopping \$101 million. This is a great deal if you are the seller of the property, but a horrible deal for taxpayers."

"This bill is not only extravagant, it is unnecessary."

Those are the words of the Council for the Citizens Against Government Waste.

As noted in their letter, the family that owns this ranch bought it in 1961 for \$2.1 million. Under this bill, the Federal Government is going to pay \$101 million for this property, almost 50 times the original purchase price. I would bet that almost everyone in this Nation would love to sell their property for 50 times what they paid for it. This is a colossal rip-off of the taxpayers and, as noted in the Citizens Against Government Waste letter, the Congressional Research Service ran the numbers on this. According to the CRS, there has been 452 percent inflation since 1961, and when we adjust this price for inflation, this property should be worth \$11.7 million. We definitely should not be paying \$101 million for property that was bought for \$2.1 million and today, adjusted for inflation, should be worth \$11.7 million.

Mr. Speaker, this is welfare for the rich. It is a windfall for the wealthy. I watched a tape about this property. It is beautiful. However, as I noted in committee when this bill came up, the most over-used word in our committee in the Committee on Resources and in the Congress is "pristine." We are constantly told that we have to buy this property or that property because it is beautiful or pristine. But if the Federal Government tried to buy every beautiful, pristine piece of property in this country, it would bankrupt our government and saddle our economy. Besides, as the gentlewoman from New Mexico just noted, the Federal Government already owns 37 percent of New Mexico, millions of acres. That should be more than enough. The Federal Government certainly does not need any more of New Mexico and has too much already.

Mr. Speaker, private property is one of the main foundations of our prosperity. It is one of the cornerstones of our freedom. Private property is one of the main things that has set us apart from socialist and Communist nations. Already, the Federal Government owns over 30 percent of the land in this Nation. State and local governments and quasi-governmental units own another 20 percent. Half of the land is in some

type of public ownership. Yet what is alarming is the rapid rate at which government at all levels continues to take over more and more and more property.

Also, we keep putting more and more restrictions, limitations, rules, regulations and red tape on the land that does remain in private hands. If we keep doing away with private property, we are going to drive up the prices of homes and cause serious damage to our economy. We will hurt the poor and the working people and those of middle income the most.

We should not waste the taxpayers' money in this way. Mr. Speaker, \$101 million for property bought for \$2.1 million is more than 4,000 percent higher than what it should be or what we should have paid for it when adjusted for inflation. We should not take money from lower- and middle-income Americans to pay a rich family almost 50 times what they paid for their property.

Mr. Speaker, I will repeat again what the Citizens Against Government Waste said. Quote: "This is a great deal if you are the seller of the property, but a horrible deal for taxpayers. This bill is not only extravagant, it is unnecessary."

Mr. Speaker, at this time I will include for the RECORD the letter from Citizens Against Government Waste.

COUNCIL FOR CITIZENS
AGAINST GOVERNMENT WASTE,
Washington, DC, June 2, 2000.

Hon. JOHN DUNCAN,
Rayburn House Office Building, Washington,
DC.

DEAR REPRESENTATIVE DUNCAN: On behalf of the 600,000 members of the Council for Citizens Against Government Waste (CCAGW), I would like to express my appreciation of your efforts to highlight the waste and abuse of taxpayer money in S. 1892, the Valles Caldera Preservation Act.

The Valles Caldera Preservation Act would authorize the purchase of the Baca Ranch in New Mexico. As you noted, the current owners purchased this property in 1961 for \$2.1 million. According to the Congressional Research Service, that price, when adjusted for inflation, would be the equivalent of \$11.7 million today. However, the legislation will force the taxpayers to pay nearly ten times that amount, or 50 times the original purchase price, a whopping \$101 million dollars. This is a great deal if you are the seller of the property, but a horrible deal for taxpayers.

This bill is not only extravagant, it is unnecessary. The federal government currently owns more than 30 percent of all the land in the United States and cannot properly maintain those holdings. In 1998, the National Park Service estimated that it would cost \$3.54 billion to repair maintenance problems at national parks, monuments and wilderness areas. Last year, the House Appropriations Committee estimated that there is a \$15 billion backlog of maintenance.

CCAGW urges your House colleagues to support your efforts to stop this boondoggle. Any vote on the purchase of the Baca Ranch will be among those considered for CCAGW's 2000 Congressional Ratings.

Sincerely,

THOMAS SCHATZ,
President.

Mr. DUNCAN. As I said, Mr. Speaker, I believe this is a tremendous rip-off of

the taxpayers of this Nation, and I would urge and I hope that at least a few people vote against this bill. I know, as I say, it will pass by an overwhelming margin, but I will be requesting a vote on this bill.

Mr. UDALL of New Mexico. Mr. Speaker, I reserve the balance of my time.

Mr. HANSEN. Mr. Speaker, I yield 2 minutes to the gentlewoman from New Mexico (Mrs. WILSON).

Mrs. WILSON. Mr. Speaker, I appreciate the comments of the gentleman on the cost of this ranch, and I understand his perspective; and I also appreciate his kind cooperation as we have gone through this process. I also understand the perspective of how much Federal land we do have in the State of New Mexico. There is really only one reason that I think this bill has such broad support and that is because of title II and the direction to sell off some of this surplus land and make sure there is money in the pot to buy things like the Baca.

I would like to, though, put one thing into the RECORD here on the value of this ranch. It was not just a number that came out of the air, and I think we need to be fair, that there was an appraisal of the ranch and that the Forest Service ordered a market study of that appraisal and found that the appraisal met the Federal standards and agreed to the price of that ranch.

□ 1630

Now, there are appraisers who will come up with all kinds of different values of things based on different methodologies. This committee deals with those every day, different disagreements among qualified appraisers on the value of a piece of property.

I think back to what things cost in 1962. I was only 2 years old then, and I do not think a straight line inflation is probably the way we should judge the value of a piece of property. Appraisers do it in a slightly different way based on what the market conditions really are.

I think this is probably a good deal for the country as a whole and a fair price, and we should move forward with it.

Mr. UDALL of New Mexico. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. GEORGE MILLER), ranking member on the Committee on Resources.

Mr. GEORGE MILLER of California. Mr. Speaker, I thank the gentleman for yielding time to me, and I want to congratulate the gentleman from New Mexico (Mr. UDALL) and the gentlewoman from New Mexico (Mrs. WILSON) for this legislation.

I think we would make a terrible mistake if we thought about this in very narrow terms, if we thought about this simply as a matter of dollars. Obviously, we have an obligation to think about the dollars that we expend. This legislation is drafted with that in

mind, and the requirements for self-sufficiency.

We did this when we acquired the Presidio and created the national park there after the Army left, in San Francisco. We did that because we recognized that this was one of the unique natural assets in our Nation.

Today we do the same thing with the Baca Ranch. It is not like we discovered this ranch yesterday. It is not like people just all of a sudden realized this was of value. People have recognized this as a value, a natural asset in this country, for many, many years. We now have the opportunity, through the cooperation of the family, to make this a part of our Federal land base, a land base that is envied around the world; a land base that, as many will find with the Baca Ranch, in many ways become economic generators to communities because tourists want to see these protected lands, whether it is the headwaters of the rivers or whether it is the great valleys of this ranch or the wildlife.

Fortunately, this Nation, this Congress, and Presidents of both parties have continued to acquire these lands. It is not to acquire them willy-nilly, it is to acquire them based upon a set of values and a set of assets that are unique, that are important to the history and the heritage of this country.

Clearly the Baca Ranch qualifies in every category, however we measure it. But if we thought about it in very narrow terms, we probably never would have done Yosemite, we never would have created the Tetons, Yellowstone, Arches, the Gateways, any of these great national parks and wilderness areas and Federal preserves in this country. This is to protect it for future generations.

That is what we have done best in this country. That is why other governments send people here to look at this and to see how they can manage lands and open them up for recreation, how we can have the public participate in the utilization of these lands, and at the same time protect them for future generations.

I would hope that this House would give overwhelming support for this legislation. This is truly one of the gifts we give this Nation to be enjoyed by future generations, to preserve and protect the uniqueness of this ranch which was fortunately held in one ownership for so many years, and cared for in the manner in which it was cared for.

The House ought to recognize that and support this legislation, and thank our two colleagues from New Mexico for getting this matter before the House of Representatives, and thank the gentleman from Utah (Mr. HANSEN) for his stewardship of this legislation through the Committee on Resources.

Mr. UDALL of New Mexico. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I just wanted to thank a few people that have been involved in

this. Clearly, the gentlewoman from New Mexico (Mrs. WILSON) has shown leadership in getting this through the House.

The gentleman from Utah (Chairman HANSEN), I want to thank him for his stewardship and his ability to pull it together and move this thing along. People have been waiting a long time in New Mexico, and we owe a debt of gratitude to the gentleman for working very hard on this bill.

I know the gentleman worked very closely with the ranking member, the gentleman from California (Mr. GEORGE MILLER) to get this to the floor, and I want to thank the gentleman from California for his excellent leadership in negotiating this bill through the rocky shoals of the House.

I also want to thank the New Mexico delegation, Senator DOMENICI, Senator BINGAMAN, the gentleman from New Mexico (Mr. SKEEN), who earlier chaired that appropriations bill through and who has been a really fine Member from New Mexico. The entire delegation pulled together on this issue to try to see that it got done, and today we are getting very, very close.

Also, I would like to thank the Members of the Committee staff who have worked with me and the ranking member, the gentleman from California (Mr. GEORGE MILLER): Rick Healy, John Lawrence, David Watkins, and all the others who have worked with us.

I think this is a great example of bipartisanship. It is the House at its best, and I am very proud to be part of this effort.

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

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

Mr. Speaker, I, too, would like to thank the gentleman from New Mexico (Mr. UDALL) and the gentlewoman from New Mexico (Mrs. WILSON) for the fine job they have done on this legislation.

I had the opportunity of going to the Baca Ranch a couple of years ago with the gentleman from Ohio (Mr. REGULA). It is one of the more beautiful places on Earth. It is one of the most outstanding places to see.

I would hope that many Americans could now take advantage of seeing this ground that has previously been closed for a number of years. It is a lot of money, I realize, but I really think this would be a great addition to the West.

Mr. Speaker, I urge support of this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. SIMPSON). The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the Senate bill, S. 1892.

The question was taken.

Mr. DUNCAN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

GENERAL LEAVE

Mr. HANSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and add extraneous matter on S. 1892.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

J.L. DAWKINS POST OFFICE BUILDING

Mr. MCHUGH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4658) to designate the facility of the United States Postal Service located at 301 Green Street in Fayetteville, North Carolina, as the "J.L. Dawkins Post Office Building."

The Clerk read as follows:

H.R. 4658

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

SECTION 1. J.L. DAWKINS POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 301 Green Street in Fayetteville, North Carolina, shall be known and designated as the "J.L. Dawkins Post Office Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "J.L. Dawkins Post Office Building".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. MCHUGH) and the gentleman from Pennsylvania (Mr. FATTAH) each will control 20 minutes.

The Chair recognizes the gentleman from New York (Mr. MCHUGH).

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

Mr. Speaker, I think I can speak for all the Members of the Subcommittee on Postal Service and certainly the Members of the Committee on Government Reform when I say we have a great deal of pride in the bipartisan way in which we have brought up a very sizeable number of these kinds of proposals, enactments that seek to designate various postal facilities across the Nation in remembrance and commemoration of the deeds of individuals from the widest possible range of undertaking and service in our country.

Today certainly is no exception to that. We have before us four pieces of legislation. This first, of course, is H.R. 4658, which has been introduced by the gentleman from North Carolina (Mr. HAYES) back on June 14 of this year. I want to commend the gentleman from