

## PERSONAL EXPLANATION

Mr. FOSSELLA. Mr. Speaker, I am not recorded on rollcall Nos. 510 and 511. I was unavoidably detained and therefore could not vote for this legislation. Had I been present, I would have voted "aye" on both rollcall votes.

## STEENS MOUNTAIN COOPERATIVE MANAGEMENT AND PROTECTION ACT OF 2000

Mrs. MYRICK. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 609 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

## H. RES. 609

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4828) to designate wilderness areas and a cooperative management and protection area in the vicinity of Steens Mountain in Harney County, Oregon, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Resources. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment recommended by the Committee on Resources now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute printed in the Congressional Record and numbered 1 pursuant to clause 8 of rule XVIII. That amendment in the nature of a substitute shall be considered as read. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. The Chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend with or without instructions.

The SPEAKER pro tempore (Mrs. BIGGERT). The gentlewoman from North Carolina (Mrs. MYRICK) is recognized for 1 hour.

Mrs. MYRICK. Madam Speaker, for purposes of debate only, I yield the cus-

tomary 30 minutes to the gentleman from Ohio (Mr. HALL); pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Madam Speaker, yesterday the Committee on Rules met and granted an open rule for H.R. 4828, the Steens Mountain Wilderness Act. The rule waives all points of order against consideration of the bill. The rule provides for 1 hour of general debate to be equally divided between the chairman and the ranking minority member of the Committee on Resources.

The rule makes in order as an original bill for the purpose of amendment the Walden amendment in the nature of a substitute printed in the CONGRESSIONAL RECORD and numbered 1, which shall be open for amendment at any point.

The rule authorizes the Chair to accord priority in recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD. The rule allows the chairman of the Committee of the Whole to postpone votes during consideration of the bill, and to reduce voting time to 5 minutes on a postponed question if the vote follows a 15-minute vote.

Finally, the rule provides for one motion to recommit, with or without instructions.

Madam Speaker, H. Res. 609 is a fair and open rule for a noncontroversial bill. Last year, the Secretary of the Interior told folks in southeastern Oregon that the President might designate Steens Mountain as a national monument. Steens Mountain is deserving of protection, but the local residents who live and work in the area became worried their livelihoods were in danger; that the President would impose all sorts of restrictions on land use and put them out of business.

In response to these concerns, the gentleman from Oregon (Mr. WALDEN) decided to work out a compromise solution. He brought everyone to the table, including the governor of Oregon and the Secretary of the Interior, and they worked out a compromise which protects the environment and protects ranching and recreational activities.

The entire Oregon delegation, both Democrats and Republicans, support this bill. Indeed, this is how legislation should be done, and the gentleman from Oregon (Mr. WALDEN) deserves credit for working hard to write a bill that everyone can support before it even reaches the House floor. So I urge my colleagues to support this rule and to support the underlying legislation.

Madam Speaker, I reserve the balance of my time.

Mr. HALL of Ohio. Madam Speaker, I yield myself such time as I may consume, and I thank the gentlewoman from North Carolina (Mrs. MYRICK) for yielding me the customary time.

This is an open rule. It is a bill to protect the natural resources near Steens Mountain in Oregon. As my col-

league from North Carolina has described, this rule provides for 1 hour of general debate to be equally divided and controlled by the chairman and ranking minority member of the Committee on Resources. The rule permits amendments under the 5-minute rule. This is the normal amending process in the House. All Members on both sides of the aisle will have the opportunity to offer germane amendments.

The area near Steens Mountain is home to unique land formations, beautiful lakes, and rare and diverse plants and wildlife. The bill designates wilderness areas, wild and scenic rivers, and other management arrangements to preserve the area's natural resources.

Madam Speaker, this is an open rule, it is the normal process, the bill has bipartisan support, and I support the rule and the bill.

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

Mrs. MYRICK. Madam Speaker, I have no further requests for time, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. GANSKE). Pursuant to House Resolution 609 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 4828.

□ 1211

## IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4828) to designate wilderness areas and a cooperative management and protection area in the vicinity of Steens Mountain in Harney County, Oregon, and for other purposes, with Mrs. BIGGERT in the Chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Utah (Mr. HANSEN) and the gentleman from California (Mr. GEORGE MILLER) each will control 30 minutes.

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

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

Madam Chairman, I rise in support of H.R. 4828, the Steens Mountain Cooperative Management and Protection Act of 2000.

Madam Chairman, today we have the opportunity to protect Steens Mountain in Oregon, one of the most beautiful areas in the West. What brings us here today is nothing more than the relentless efforts of the gentleman from Oregon (Mr. WALDEN) over the past few

months to draft this consensus legislation. The citizens of Oregon are lucky to be represented by a man who has found a way to preserve the beautiful area while at the same time respecting the people's needs and uses in the Steens Mountain area.

H.R. 4828 is the culmination of years of effort to protect this unique area. H.R. 4828 is a complicated measure that uses management prescriptions that fit the land. Steens Mountain is a 30-mile long block which rises approximately 9,700 feet above the Alvord Basin, and is home to a variety of wildlife, including sage grouse, bighorn sheep, golden eagles, deer, antelope, and many varieties of fish. Currently, the Steens Mountain recreational land consists of 147,773 acres managed by the BLM; 41,577 acres of private land; and 4,506 acres of State land.

H.R. 4828 withdraws 1.2 million acres from mining and geothermal development and designates 134,000 acres as wilderness. It would also create a non-grazing zone of approximately 100,000 acres, as well as 500,000 acres of cooperative management and protection area.

In addition, H.R. 4828 would establish the Wildlands Juniper Management Area, expand the Donner and Blitzen Wild and Scenic River, designate the Donner and Blitzen Redband Trout Reserve, authorize the Secretary of the Interior to carry out a number of land exchanges to facilitate the purpose of this legislation, and allow the conservation of these lands to remain under local management.

During full committee consideration, the issue of Federal Reserve water rights within the wilderness area was heavily debated. During the next decade, Congress will consider many BLM wilderness bills. In my State of Utah, this debate is the foremost of resource issues.

□ 1215

As Congress heads down this road of finally resolving the BLM wilderness debate in the West, we must be cautious in how we approach such areas as grazing, water, existing uses, and existing rights.

The amendment considered as original text will resolve the water issue in a matter that does not prejudice the debate in the future. The language simply repeats the 1964 Wilderness Act. This is a reasonable approach that ensures the area is protected.

Once again, I want to commend the gentleman from Oregon (Mr. WALDEN) in this effort, and I urge my colleagues to support the passage of this very worthwhile legislation.

Madam Chairman, I reserve the balance of my time.

Mr. GEORGE MILLER of California. Madam Chairman, I ask unanimous consent that I may yield all of the time on this side to the gentleman from Oregon (Mr. DEFAZIO) for the purposes of controlling the time.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DEFAZIO. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, I really never thought we would get here today to the floor of the House of Representatives adopting consensus legislation on behalf of the entire Oregon delegation to protect the extraordinary beauty, ecological value of the Steens Mountains. It is a place I visited, a place I love. It is not in my district. It is actually quite far away from my district, a number of hours' drive. But it is an unbelievably beautiful, almost mystical place rising up out of arid eastern Oregon overlooking the Alvord Desert on one side and looking back to the west over sagebrush and scattered farmlands to the west.

The values in that area in terms of the environment are just amazing, not just the spectacular views but the wildlife habitat, the river canyons. This bill will provide extraordinary protections for some of the most delicate areas and the most beautiful areas in the Steens by affording, to the best of my knowledge, the first legislated cattle-free wilderness in, at least, Oregon and, I believe, throughout the western United States.

That is crucial for the delicate nature of some of the uplands and the gorges and the headwaters for their preservation.

This was not an agreement easily reached. Quite frankly, I think it was about a year ago when the gentleman from eastern Oregon (Mr. WALDEN) came to my office and said he wanted to talk about the Steens and about legislation for the Steens. I was open to meeting with him about this but did not expect much, to tell the truth.

He came in with his trusty staff person, put down a map of the Steens with which I was familiar, and then started pulling out all these velcroed sections and stickies and saying, well, I want to do this. And after he got to about the fifth "I want to do this," I said, this is a pretty good offer. And he said, well, that is not all and he kept pulling out the velcroed stickies and putting them on the map.

It was a good first offer. We have improved the bill significantly since that time. We have worked with the conservation groups who are most familiar with the Steens area, environmental groups. The gentleman has done yeoman's work in bringing along the local community and the ranchers, who are significantly impacted by this legislation.

I think it is just an extraordinary day and, in my tenure in Congress, a very unusual day when the entire Oregon delegation is unanimously in support of legislation that relates to the environment in our wonderful and beautiful State. This is not something that is frequently seen no matter how meritorious the legislation.

So I stand here in strong support of the legislation. We will hear from

other members of the Oregon delegation later, and the gentleman from California (Mr. GEORGE MILLER) I will recognize later. But at this point I want to congratulate the gentleman from Oregon (Mr. WALDEN), who represents the district, for the work he has done.

Madam Chairman, I reserve the balance of my time.

Mr. HANSEN. Madam Chairman, I ask unanimous consent that the gentleman from Oregon (Mr. WALDEN) control the remaining time on the majority side.

The CHAIRMAN. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. WALDEN of Oregon. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, we have accomplished something unique with the drafting of this legislation. We have brought together people from very different walks of life. We have given them equal seats at the table of public policy, and we have crafted an Oregon-based solution that works for the ranchers and works for the environment.

I want to start by telling my colleagues about the people who live in Harney County and who ranch on Steens Mountain. These are people whose ancestors were encouraged by the Federal Government to take the risk of expanding our Nation's frontier, to risk life and property to settle the Wild West. They were the homesteaders of the 1800s, people of undaunted courage who followed the trail to the West blazed by Lewis and Clark some 200 years ago.

They moved to an area of Southeast Oregon later called Harney County, where cows outnumbered people and still do today. It is a county that is larger than most New England States, 143 miles long and 86.6 miles wide. There are no freeways here, no congestion, no gridlock except when they are moving cows to graze in another area.

These are people whose closest neighbor is often miles and miles away. They are self-reliant people with soft hearts but rugged spirits.

This is not the world of high-tech millionaires, BMWs, and the fast life. But it is a place where people look out for each other, take care of each other. It is a place where written contracts are not broken because usually written contracts are not needed, a man's word is all it takes, a handshake will do. They do not get much from Government other than a tax bill, and they sure do not ask for a lot in return.

And for a century or more, they have tended the land and worked in cooperative partnership with the Federal Government to ensure that the environment is protected and their ranching way of life is allowed to continue.

Steens Mountain is a checkerboard of private and public lands interrelated. In cities, fences are designed to divide

neighbor from neighbor, but here there are few fences and quite often the neighbor is the Federal Government. It is a true partnership in a wide open space that has served the mountain and served the people well.

Steens Mountain itself is as unique as the people who live on it and near it. Unlike most mountain ranges across America, Steens Mountain stands alone in the desert. Made of heavy lava, Steens Mountain is a huge, upthrust block twenty-three miles from its base on the west to its top. But when we get to that top, we are at nearly 10,000 feet; and it is a straight drop of nearly a mile to the playa below.

Breathtaking? You bet it is.

The explorers who settled here were not stupid. They picked the best lands on the mountain for their ranches. Harney County is arid, receiving just a few inches of rainfall a year. So the ranchers went for the water and the lush valleys, as any of us would have done. But today, in this legislation, they are offering to give back some of the best they have, to put it in wilderness for public benefit for a lifetime. This is a good deal for the taxpayers, and it works for the ranchers.

Over the years, the ranchers and the Federal Government have worked together to improve the range lands, to improve the aspen groves, the watersheds and the fish habitat. It is a partnership that has served the environment well.

Well, about a year ago, Steens Mountain was discovered by the administration and a new land rush was on. One, to save the Steens, to name it a national monument to encircle the ranchers and their home places with a new set of Federal laws and restrictions like a noose that could only get tighter and tighter until it would have choked out their way of life.

Now, in some parts of the West the reaction might have been to simply go into denial. But here the ranchers and the people realized that the threat they faced was both real and unstoppable.

Over Labor Day weekend a year ago, I met with the people most affected at a community dinner in Frenchglen. We faced the challenge together: Should we simply protest the idea of a monument, knowing it would come anyway, and trust the Federal Government to write the rules, or should we try to write legislation of our own, legislation that would have to accomplish the environmental goals of the administration without choking out a way of life on the mountain and the communities that surround it.

Well, my colleagues, the legislation we are considering today here on the floor of the House of Representatives is the end result. It is the result of hundreds, if not thousands, of hours of negotiation over the last year. It is one of the few examples where the threat of a unilaterally imposed national monument of more than a million acres has been replaced by legislation written by the people most affected.

We will hear today much about the importance of this legislation in protecting and preserving Steens Mountain. And it does do that. But it does something just as important, if not more. It protects private property rights. It protects water rights. It enshrines in Federal law the spirit of cooperative management of the Federal lands that has been unique to this region.

It is nearly half the size of the Federal monument. It is a solution in keeping with the great tradition and spirit that makes Oregon unique because we have with this legislation, in a small measure, rekindled the Oregon spirit of working together to protect our special place and our special way of life while we respect the rights of individuals and preserve the environment.

Moreover, we have proven that even in the heat of an election year, people of different parties and philosophies can work together for the common good. We heard my colleague from Eugene talk about that. Rare is the time when this delegation representing many different parts of Oregon has gotten together on a piece of legislation this monumental.

Every member of the Oregon delegation supports this bill. Every member of this delegation, House and Senate, has worked in good faith to fight for the principles they believe in that are important for our future as a State.

The Governor of Oregon and the Secretary of the Interior, with whom I have obviously had disagreements over the years, support this bill and have worked in good faith to accomplish its goals. The Oregon Cattlemen's Association and the Sierra Club, both at the table, both support this legislation. The Wilderness Society and Oregon Trout support this bill.

Is it as I would have written it if I alone could have written it? No. But neither is it as those who would eliminate ranching would have written it. It is indeed what legislating is all about. It is a compromise but a compromise that is far better than a national monument twice its size. It will allow a ranching lifestyle more than a century old to continue for generations to come, and it will protect and preserve the most fragile environment in southeastern Oregon.

I have next to me here a picture of Big Indian. This is part of what we are trying to protect and preserve. This gorge that we see here rising probably 7,000 or 8,000 feet into the sky would be protected with the wilderness boundary for about as far as we could see on this picture. It is an extraordinary place. And there is one after another after another.

We declare four wild and scenic rivers in this legislation. We set up a special redband trout reserve so that the stream where this special species is will be managed and enhanced for the protection of the redband trout.

We create 174,000 acres of wilderness, 100,000 acres of which is cow free. And

yet we preserve and protect the ranching way of life in this region.

I want to close by specifically thanking and naming those people who have played such an important role in this legislation. After all, we spent more than a year working on it and clearly hundreds of hours, and we can spend a few minutes saying thanks to the people most involved.

I want to start with my former legislative director, Lindsey Slater, who has probably put more time and effort into this than any of us and has been there throughout it all with new ideas about how to make it work. It ought to be named after him, but we probably cannot go there today; and Valerie West and David Blair and Sarah Bittlemen from the Senators' offices; and Amelia Jenkins, Chris, Michael, and Bill in the Members' offices; and Kevin Smith and Peter Green; and the Governor, Secretary Babbitt, along with Molly and Laurie and Roy, our legislative counsel who we have gone back to time and time again to say this is the final draft only to have to go back one more time and say, well, we found one other thing we needed to change; and to Allen Freemyer and Lisa and Liz, thank you for your help; and to the gentleman from Utah (Chairman HANSEN) and to the gentleman from Alaska (Mr. YOUNG) for their work.

To Stacy Davies, to Fred Otley and to Charlie Otley, thank you. To all the people in Harney County, thank you for staying at the table, for working hard and fighting for what you all believe in. And to Bill Marlett and Andy Kerr, representing some of the toughest negotiators in Oregon's environmental community, thank you for giving us this opportunity, as well.

So I thank the members of the delegation, our Senators, the Governor, and the Secretary for getting us to this point. Because, truly, it is a remarkable day. I thank the ranking member of the Committee on Resources, as well, both for his input and his understanding of the importance of this issue for our State and for our Nation.

Madam Chairman, I reserve the balance of my time.

□ 1230

Mr. DEFAZIO. Madam Chairman, I yield 5 minutes to the gentleman from California (Mr. GEORGE MILLER), the ranking member of the full committee.

Mr. GEORGE MILLER of California. I thank the gentleman for yielding me this time.

Madam Chairman, I want to say that no one can argue with the desire of this delegation to save Steens Mountain and the surrounding area and the importance of this environmental asset. I will, however, unfortunately, have to disagree with him about how this was gone about by the process that was used here, and I think that it is unfortunate that a number of provisions of this bill deviate from public land management and conservation designations, including those dealing with wilderness.

In addition, there are significant problems with the land exchanges proposed in this bill, including valuations and payments that have no basis in law or policy. As the General Accounting Office noted in a report done in June of this year given to our committee, many land exchanges have failed to protect the public interest or provide that the lands exchanged were of equal value. That is the law of the land.

Unfortunately, the exchanges in this bill, I believe, continue that pattern; and I find that pattern troubling because I think it raises serious questions about the public interest, about the public treasury, and about the public good. No appraisals were done in this instance. Instead, BLM at the direction of the bill's sponsors prepared a realty report. Since the lands the ranchers offered were worth significantly less than the Federal lands they wanted, the BLM was asked by the bill's sponsors to use valuation assumptions that are not found in Federal law or policy. Further, the payments to the ranchers that this bill provides are an unjustified benefit, in my opinion.

The provisions of this bill on wilderness are also troubling. First, thousands of acres of wilderness study areas are transferred to private ownership. The wilderness boundaries that were drawn in many instances follow section lines. This is both a serious management and ecological problem because those lines represent arbitrary markers and bisect resources that are hard to administer. Further, much of the wilderness is bisected by roads. While portions of the wilderness will be off-limits to cows, the Secretary is required to make other wilderness areas available to provide forage replacement.

Grazing is given a high priority in this bill, and the promotion of grazing is made one of the objectives of the area. The bill contains numerous other exemptions for grazing. While there is a general prohibition on new roads in the area, that does not apply to roads needed for livestock. Likewise, while there is a general prohibition on the construction of Federal lands, that does not apply to facilities needed for livestock. The Secretary is also required to construct fencing and water developments for livestock in the area.

I regret that the bill that is being brought to the floor today has deleted the wilderness water right language that was in the bill approved by the Committee on Resources. This is not an improvement, and in the end it will only make it harder to protect those wilderness values.

Madam Chairman, I recognize that Secretary Babbitt and the Oregon delegation have signed off on this legislation, and I recognize again that Steens Mountain is clearly an asset that is worth the kind of protection that they seek. But I think that we have to raise these questions. Otherwise, we are going to continue to see a drift in the land exchange policy of this govern-

ment that continues to ignore valuations, that continues to ignore or not require appraisals and continues to ignore the public interest.

It is clearly in the public interest to protect Steens Mountain. The question is whether or not it is in the public interest to protect it in this manner. Is it in the public interest after we make an exchange of unequal parcels recognizing that there is a difference in the forage value of these lands as properly we should, we have exchanged?

We have exchanged in Roaring Springs, we took 10,000 acres, almost 11,000 acres; and we gave back 76,000 acres, recognizing that there are distinctions. We then told the Secretary of the Interior that they shall provide the fencing and the improvements and the water on those lands. And then on top of that where these already started out unequal, we have now added on cash payments that range from almost \$3 million to \$148,000 against the policy and the recommendations of the Department of the Interior.

I realize the desire and the sense of urgency about this and the asset that is being protected, but I think that we had better take a long and hard look at the exchange policy as the GAO recommended because it has cost the taxpayers of this country millions of dollars. At some point the integrity has got to be put back into that process. I think in fact there should be a moratorium on exchanges until such time as both the BLM and the Forest Service can tell this Congress that there is integrity in that process, that the public interest is in fact being served and the treasury of the United States is being protected.

Those are my concerns. It is not with the merits of protecting Steens Mountain. The gentleman from Oregon (Mr. WALDEN) has worked very hard on this and has brought about an agreement. Much of that agreement is in fact necessary and quite proper, but I think there are questions around valuations that are serious here. But the delegation has come together on this. They believe this is the proper manner to proceed. But I think clearly in light of the GAO report and the warnings that we have been given that we ought to give due consideration to this.

Mr. DEFAZIO. Madam Chairman, I yield 7 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Madam Chairman, I appreciate the gentleman's courtesy in giving me time to speak on this bill.

I came to this, actually it was sort of interesting. Listening to my colleague, the gentleman from eastern Oregon (Mr. WALDEN), and the gentleman from California (Mr. GEORGE MILLER), for whom I have the greatest respect and admiration, I must admit that I find myself in modest disagreement with them both.

I was one of those people that did not look at the action, the attention, the interest by Secretary Babbitt as a

noose. I feel, with all due respect to my Republican colleagues, that this administration has been moving forward to attempt to protect precious jewels of resources throughout the country, and I think appropriately so. And I have been supportive of their efforts; and, candidly, at one of our early meetings, I was there to just say I did not think that monument status was a bad fallback position; and frankly, rather than a noose of Federal regulation, I am not prepared at this point to go into some debate, but I will be happy to do it with my colleague; and I am sure we will have opportunities on the campaign trail, about the Republican approach to environmental protection, hard rock mining, what has happened with grazing areas around the country; and frankly I think the vast majority of the American public supports greater protection, including many of the monument designations.

But what my friend from eastern Oregon approached, and I think rightly so, was the notion that we, because of the patchwork that has occurred in this area, in part historic accident, in part smart business practice, in part frankly we in government at all levels have been asleep at the switch, we had an opportunity to do something better. And I will add my voice and you will hear from other Members of the Oregon delegation who will come forward each with their own unique story about the treasure that is this wilderness that we are about, I hope, to designate today.

In fact, I could use all of my time, and I will not, just talking about the experience of going out at dawn on a spring morning far into the desert off a deserted road and watching the mating ritual of the sage grouse as the sun comes up. It is truly something that sends shivers down your spine and is something that is fragile in nature and something that is part of this heritage that we could lose.

And I would also take modest disagreement with my friend when he talked about this is not an area of high-tech millionaires, because it is truly a unique way of life in eastern Oregon, the ranching activities; but we have already seen that there are some of the high-tech millionaires that appreciate this. There have been sales pressures. I have visited with one gentleman in eastern Oregon recently who purchased an element that frankly we should find a way to add to the protection, because despite our vaunted land-use planning protections in Oregon, there is still much of this land that is at risk; there is much of this land that could in fact be developed in the future, and there is pressure for people to put not just mansions but massive structures which they legally would be entitled to do if we are not able to move forward in the future.

So while we are not threatened perhaps by traffic jams in this portion of eastern Oregon, we are not threatened by huge dot-com compounds that will be there, there is some of the new

money, and some old money, that has the potential of disrupting this precious area.

That is why I must take modest exception to my friend from California, because there is in fact an urgency at moving forward. And because while there may not be some areas that fit perhaps into a cookie cutter approach for land valuation and exchanges, I am convinced that the package that has been developed here as a result of painstaking effort on behalf of a number of people, the tip of the iceberg was mentioned by the gentleman from Oregon (Mr. WALDEN), and they deserve that recognition and our thanks. But what was accomplished was a package that actually is fair value for priceless resources. And it was not something that the Oregon delegation signed off on. It was a vicious process of give-and-take, of hand-wringing, that resulted in drafting our approach for Oregonians.

In addition to acknowledging the efforts of my friend, the gentleman from Oregon (Mr. WALDEN), I would like to acknowledge the gentleman from Oregon (Mr. DEFAZIO), who stepped forward at a critical time. Sometimes he can be a little cranky. He saved it, he brought it in at the right moment, and I think he helped move some things forward. The administration, and especially Secretary Babbitt, who kept the eye on what our objective was. The people from the environmental community in Oregon hammered away at things that they held dear, and they are proud supporters of this legislation, from the American Lands Alliance, the Audubon Society, Columbia Gorge Audubon, Cybil Ackerman, Mark Salvo. I do not have time to go through everybody's name. I hope somebody will at the end.

But I guess I want to conclude by the notion that this is not just recapturing the heritage of what we have in eastern Oregon and crafting an Oregon solution as a team to something that is going to last for generations. I think this is an example of how this Congress should work, because as frustrated as I am frankly by the lack of environmental progress, I think we have demonstrated today that people of disparate views could come together, one person looking at the threat of protection and somebody else looking like this was going to help us, but come together and make something that was better. And I would hope that not only would the House pass this legislation overwhelmingly; but I would hope that this would serve as a model that we could take forward to craft appropriate environmental solutions, break the logjam. There are a number of things that we could move forward with, and I think if we had the same sort of inclusive process that was demonstrated here, we could in fact reach the objections that have been advanced by our friend from California and be able to move forward with items that we can all take pride in.

Madam Chairman, I add my congratulations to the gentleman from Oregon (Mr. WALDEN), the gentleman from Oregon (Mr. DEFAZIO), our Senators and governor for making this possible.

Mr. WALDEN of Oregon. Madam Chairman, I yield myself 1 minute.

Madam Chairman, I would just like to thank my colleague, the gentleman from Portland (Mr. BLUMENAUER), for his comments. I might take exception to his comment that the gentleman from Oregon (Mr. DEFAZIO) was ever cranky. I do not recall that. Well, maybe once, but I think we all were once.

I would point out, too, that his comment about the high-tech millionaires is perhaps taken in a different context than I meant it, which is that this is not the center of industry in that respect. But he is very right in the sense that those who do have that wealth are eyeing this mountain because as people saw on this floor, the views from there are extraordinary, the pressures to sell off parcels on this mountain are only increasing; and there could be over 200 buildable lots on this mountain that even under Oregon's fairly restrictive land-use laws could be accessed, and you could have trophy homes built on. So indeed the investment we are making today is one for the future, to protect and preserve the best of this mountain and preserve the life-style.

Madam Chairman, I reserve the balance of my time.

□ 1245

Mr. DEFAZIO. Madam Chairman, I yield 5 minutes to the gentlewoman from Oregon (Ms. HOOLEY).

(Ms. HOOLEY of Oregon asked and was given permission to revise and extend her remarks.)

Ms. HOOLEY of Oregon. Madam Chairman, I thank the gentleman for yielding the time to me, and I rise in strong support of this legislation, the Steens Mountain Wilderness Act. Anyone who has ever been to Oregon and has seen the Steens Mountain and the Alvord Desert knows it is one of the most beautiful and pristine places in the world.

Madam Chairman, what is more, if you have not been to Oregon, you probably know about our passion for making sure that we keep Oregon beautiful and protecting our resources; and that is why we have before us today this wonderful, outstanding consensus piece of legislation.

H.R. 4828 is an Oregon-based solution that not only protects private property rights, but will also protect the scientifically important landscape.

Madam Chairman, I would like to thank my friend and colleague, the gentleman from Oregon (Mr. WALDEN), for his working so hard to bring this bill to the floor today. I look at how this was handled by the gentleman; and it is typical, I think, about how Oregonians solve problems. He brought everyone to the table, and he worked

very hard to find that win-win solution.

Frankly, like my colleague, the gentleman from Oregon (Mr. BLUMENAUER), I think this would be a wonderful model that we could use in Congress and do seldom use. In addition, I would like to thank Secretary Babbitt and my colleague, the gentleman from Oregon (Mr. DEFAZIO), the ranking member on the Committee on Resources, for working out all the nitty-gritty details.

I mean, this is a kind of legislation that is not only protecting this wonderful area, but how do you get all of those little details and all the staff that worked on this. Again, while not a Member of Congress, I would like to thank my staff, Chris Huckleberry, for all the hard work he did on it in the last year.

Finally, I would like to include a letter of support from the Oregon governor, John Kitzhaber, into the RECORD.

OCTOBER 4, 2000.

TO THE OREGON CONGRESSIONAL DELEGATION: The Steens Mountain Area is a state and national treasure. Its beauty and ecological value are immense. The Steens-Alvord area is home to multiple rare species, scientifically important landscapes and outstanding recreational and scenic values. It is our duty to conserve and protect it for generations to come.

The Steens Mountain Area is also home to a rich and valuable Oregon culture. From the ancestors of the Burns Paiute Native American tribe to the family ranches of today, the Steens-Alvord area has cultural, historical, and economic value. We must not lose this value. We must diligently safeguard the existing culture and way of life on the mountain, for if we do not we will surely diminish all the critical values of the mountain—its ecology, its culture, and its people.

The legislation before the House today goes a long way toward achieving these purposes and I am happy to join the Oregon congressional delegation in supporting this needed legislation.

GOVERNOR JOHN A. KITZHABER, M.D.

Madam Chairman, again, I thank all of the people that worked so hard on this. It is a wonderful solution to a problem, and it is a model this Congress could use and hopefully will use more in the future. I urge my colleagues to vote yes on this bill.

Mr. WALDEN of Oregon. Madam Chairman, I reserve the balance of my time.

Mr. DEFAZIO. Madam Chairman, I yield 5 minutes to the gentleman from Oregon (Mr. WU).

Mr. WU. Madam Chairman, I thank the gentleman for yielding me the time, and I rise in support of this bill and want to take this opportunity to recognize the tremendous hard work which the gentleman from Oregon (Mr. WALDEN) has put into this effort, the leadership of the gentleman from Oregon (Mr. DEFAZIO), and keeping all of us on track.

I would like to also recognize the governor, the administration and all the Members of the Oregon delegation

in coming together to resolve this complex set of issues the way that Oregonians traditionally have, cooperatively, with common vision, and common sense.

And what an achievement we indeed have, because from either Steens Mountain looking down to the Alvord Desert or from the Alvord Basin looking up to the mountain, the Steens Mountain is a treasure in the sky, now saved for all time.

We do a good thing today, cooperation, common sense, common vision, coming together to produce this uncommon moment.

Mr. WALDEN of Oregon. Madam Chairman, I reserve the balance of my time.

Mr. DEFAZIO. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, I want to thank my colleagues from the Oregon delegation, both for their eloquent words in support of this legislation and for the team work that went into this bill. It is, as I said earlier, in my time in Congress fairly unprecedented the degree of comity and the progress we have made as we went through very, very long and productive discussions.

One of the highlights has to have been the hour-and-a-half meeting in my office with the governor on the conference call. We are not quite sure how long he was there. He was there to help us with one key point and was subjected to listening for quite some period of time.

I also want to thank others who were involved, Lindsay Slater, as was said earlier, just did yeoman's work; and it is a real loss to the gentleman from Oregon (Mr. WALDEN) that he is taking on the task of representing an inland State, but we wish him well in his new job. Troy Tidwell, our two senators who obviously played a key role in this and will play a key role in its final enactment, since we have to deal with the other body, so-called, Governor Kitzhaber, as I said earlier, his patience, his contribution, the staff of all of these individuals.

In particular, I want to acknowledge Josh Kardon. He was in a number of meetings on this issue when Senator WYDEN had to be occupied elsewhere by his official business, and Josh played a key role in meetings with Secretary Babbitt and others. Sarah Bittleman and David Blair also on the Senator's staff. Valerie West, who did tremendous work on Senator SMITH's staff, and I have had an occasion to work with Valerie previously when she worked for Representative SMITH on the Oregon Wild and Scenic Rivers bill, and she did great work on this. Kevin Smith from the governor's office.

Madam Chairman, I had quite a number of occasions to meet with and chat with Secretary Babbitt over the phone on the development of this legislation, and he was a tremendous help, and his staff, Molly McUsic and Laurie Settlemeyer, were also tremendous contributors.

Rick Healy from the Committee on Resources did a great job in basically pointing out what he felt were concerns and deficiencies on behalf of the gentleman from California (Mr. GEORGE MILLER), the ranking member. And we addressed quite a few of those during the development of the legislation.

Madam Chairman, I am proud of this legislation. It is a day when I am just so proud to be a Member of the rather small, but sometimes powerful, Oregon delegation, because I think we are going to bowl this bill right through here today without hardly any dissension on the part of our colleagues. So congratulations to the gentleman from eastern Oregon (Mr. WALDEN), who represents this area, and my thanks to all the other Members of the delegation.

Madam Chairman, I forgot my staff, Amelia Jenkins, who did yeoperson's work in this battle on a fine, wonderful resolution.

Madam Chairman, I yield back the balance of my time.

Mr. WALDEN of Oregon. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, I just again want to thank my colleague, the gentleman from the fourth district for Oregon (Mr. DEFAZIO), for putting up with my persistence. I know there were times when I was probably a little more persistent than I needed to be, but we got here. We could not have done it without the gentleman's help, because obviously there are things that the gentleman feels very strongly about, as do others in the delegation and others in different communities, that had to be addressed, that had to be dealt with if we were going to be successful and be here today.

I appreciate the gentleman's help and that of the other members of the delegation, important roles each of you played in working this through here at the final days or week and a half, hopefully, of this legislative session.

To be at this point, I think it is truly unique and I think we have a partnership that can be used, and we have shown that the legislative process can work. I think Americans out there who probably do not have a clue about Steens Mountain have at least come to understand that you can make this process work if you allow everybody at the table to try and resolve the issues at hand; and so it is truly a delight to be here and to move this bill forward and to be in a position we are in right now. I thank each of you for your hard work, your dedication, your comments, and your support.

Madam Chairman, I urge my colleagues to support H.R. 4828, the Steens Mountain Wilderness Act of 2000.

Madam Chairman, I yield back the balance of my time.

The CHAIRMAN (Mrs. BIGGERT). All time for general debate has expired.

In lieu of the amendment recommended by the Committee on Re-

sources printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute printed in the CONGRESSIONAL RECORD and numbered 1. That amendment in the nature of a substitute shall be considered read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 4828

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

#### SECTION 1. SHORT TITLE; PURPOSES; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Steens Mountain Cooperative Management and Protection Act of 2000".

(b) PURPOSES.—The purposes of this Act are the following:

(1) To maintain the cultural, economic, ecological, and social health of the Steens Mountain area in Harney County, Oregon.

(2) To designate the Steens Mountain Wilderness Area.

(3) To designate the Steens Mountain Cooperative Management and Protection Area.

(4) To provide for the acquisition of private lands through exchange for inclusion in the Wilderness Area and the Cooperative Management and Protection Area.

(5) To provide for and expand cooperative management activities between public and private landowners in the vicinity of the Wilderness Area and surrounding lands.

(6) To authorize the purchase of land and development and nondevelopment rights.

(7) To designate additional components of the National Wild and Scenic Rivers System.

(8) To establish a reserve for redband trout and a wildlands juniper management area.

(9) To establish a citizens' management advisory council for the Cooperative Management and Protection Area.

(10) To maintain and enhance cooperative and innovative management practices between the public and private land managers in the Cooperative Management and Protection Area.

(11) To promote viable and sustainable grazing and recreation operations on private and public lands.

(12) To conserve, protect, and manage for healthy watersheds and the long-term ecological integrity of Steens Mountain.

(13) To authorize only such uses on Federal lands in the Cooperative Management and Protection Area that are consistent with the purposes of this Act.

(c) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; purposes; table of contents.

Sec. 2. Definitions.

Sec. 3. Maps and legal descriptions.

Sec. 4. Valid existing rights.

Sec. 5. Protection of tribal rights.

#### TITLE I—STEENS MOUNTAIN COOPERATIVE MANAGEMENT AND PROTECTION AREA

##### Subtitle A—Designation and Purposes

Sec. 101. Designation of Steens Mountain Cooperative Management and Protection Area.

Sec. 102. Purpose and objectives of Cooperative Management and protection Area.

##### Subtitle B—Management of Federal Lands

Sec. 111. Management authorities and purposes.

Sec. 112. Roads and travel access.

Sec. 113. Land use authorities.

Sec. 114. Land acquisition authority.

Sec. 115. Special use permits.

### Subtitle C—Cooperative Management

- Sec. 121. Cooperative management agreements.
- Sec. 122. Cooperative efforts to control development and encourage conservation.

### Subtitle D—Advisory Council

- Sec. 131. Establishment of advisory council.
- Sec. 132. Advisory role in management activities.
- Sec. 133. Science committee.

### TITLE II—STEENS MOUNTAIN WILDERNESS AREA

- Sec. 201. Designation of Steens Mountain Wilderness Area.
- Sec. 202. Administration of Wilderness Area.
- Sec. 203. Water rights.
- Sec. 204. Treatment of wilderness study areas.

### TITLE III—WILD AND SCENIC RIVERS AND TROUT RESERVE

- Sec. 301. Designation of streams for wild and scenic river status in Steens Mountain area.
- Sec. 302. Donner und Blitzen River redband trout reserve.

### TITLE IV—MINERAL WITHDRAWAL AREA

- Sec. 401. Designation of mineral withdrawal area.
- Sec. 402. Treatment of State lands and mineral interests.

### TITLE V—ESTABLISHMENT OF WILDLANDS JUNIPER MANAGEMENT AREA

- Sec. 501. Wildlands juniper management area.
- Sec. 502. Release from wilderness study area status.

### TITLE VI—LAND EXCHANGES

- Sec. 601. Land exchange, Roaring Springs Ranch.
- Sec. 602. Land exchanges, C.M. Otley and Otley Brothers.
- Sec. 603. Land exchange, Tom J. Davis Livestock, Incorporated.
- Sec. 604. Land exchange, Lowther (Clemens) Ranch.
- Sec. 605. General provisions applicable to land exchanges.

### TITLE VII—FUNDING AUTHORITIES

- Sec. 701. Authorization of appropriations.
- Sec. 702. Use of land and water conservation fund.

## SEC. 2. DEFINITIONS.

In this Act:

(1) **ADVISORY COUNCIL.**—The term “advisory council” means the Steens Mountain Advisory Council established by title IV.

(2) **COOPERATIVE MANAGEMENT AGREEMENT.**—An agreement to plan or implement (or both) cooperative recreation, ecological, grazing, fishery, vegetation, prescribed fire, cultural site protection, wildfire or other measures to beneficially meet public use needs and the public land and private land objectives of this Act.

(3) **COOPERATIVE MANAGEMENT AND PROTECTION AREA.**—The term “Cooperative Management and Protection Area” means the Steens Mountain Cooperative Management and Protection Area designated by title I.

(4) **EASEMENTS.**—

(A) **CONSERVATION EASEMENT.**—The term “conservation easement” means a binding contractual agreement between the Secretary and a landowner in the Cooperative Management and Protection Area under which the landowner, permanently or during a time period specified in the agreement, agrees to conserve or restore habitat, open space, scenic, or other ecological resource values on the land covered by the easement.

(B) **NONDEVELOPMENT EASEMENT.**—The term “nondevelopment easement” means a binding

contractual agreement between the Secretary and a landowner in the Cooperative Management and Protection Area that will, permanently or during a time period specified in the agreement—

(i) prevent or restrict development on the land covered by the easement; or

(ii) protect open space or viewshed.

(5) **ECOLOGICAL INTEGRITY.**—The term “ecological integrity” means a landscape where ecological processes are functioning to maintain the structure, composition, activity, and resilience of the landscape over time, including—

(A) a complex of plant communities, habitats and conditions representative of variable and sustainable successional conditions; and

(B) the maintenance of biological diversity, soil fertility, and genetic interchange.

(6) **MANAGEMENT PLAN.**—The term “management plan” means the management plan for the Cooperative Management and Protection Area and the Wilderness Area required to be prepared by section 111(b).

(7) **REDBAND TROUT RESERVE.**—The term “Redband Trout Reserve” means the Donner und Blitzen Redband Trout Reserve designated by section 302.

(8) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior, acting through the Bureau of Land Management.

(9) **SCIENCE COMMITTEE.**—The term “science committee” means the committee of independent scientists appointed under section 133.

(10) **WILDERNESS AREA.**—The term “Wilderness Area” means the Steens Mountain Wilderness Area designated by title II.

## SEC. 3. MAPS AND LEGAL DESCRIPTIONS.

(a) **PREPARATION AND SUBMISSION.**—As soon as practicable after the date of the enactment of this Act, the Secretary shall prepare and submit to Congress maps and legal descriptions of the following:

(1) The Cooperative Management and Protection Area.

(2) The Wilderness Area.

(3) The wild and scenic river segments and redband trout reserve designated by title III.

(4) The mineral withdrawal area designated by title IV.

(5) The wildlands juniper management area established by title V.

(6) The land exchanges required by title VI.

(b) **LEGAL EFFECT AND CORRECTION.**—The maps and legal descriptions referred to in subsection (a) shall have the same force and effect as if included in this Act, except the Secretary may correct clerical and typographical errors in such maps and legal descriptions.

(c) **PUBLIC AVAILABILITY.**—Copies of the maps and legal descriptions referred to in subsection (a) shall be on file and available for public inspection in the Office of the Director of the Bureau of Land Management and in the appropriate office of the Bureau of Land Management in the State of Oregon.

## SEC. 4. VALID EXISTING RIGHTS.

Nothing in this Act shall effect any valid existing right.

## SEC. 5. PROTECTION OF TRIBAL RIGHTS.

Nothing in this Act shall be construed to diminish the rights of any Indian tribe. Nothing in this Act shall be construed to diminish tribal rights, including those of the Burns Paiute Tribe, regarding access to Federal lands for tribal activities, including spiritual, cultural, and traditional food gathering activities.

## TITLE I—STEENS MOUNTAIN COOPERATIVE MANAGEMENT AND PROTECTION AREA

### Subtitle A—Designation and Purposes

#### SEC. 101. DESIGNATION OF STEENS MOUNTAIN COOPERATIVE MANAGEMENT AND PROTECTION AREA.

(a) **DESIGNATION.**—The Secretary shall designate the Steens Mountain Cooperative Management and Protection Area consisting of approximately 425,550 acres of Federal land located in Harney County, Oregon, in the vicinity of Steens Mountain, as generally depicted on the map entitled “Steens Mountain Boundary Map” and dated September 18, 2000.

(b) **CONTENTS OF MAP.**—In addition to the general boundaries of the Cooperative Management and Protection Area, the map referred to in subsection (a) also depicts the general boundaries of the following:

(1) The no livestock grazing area described in section 113(e).

(2) The mineral withdrawal area designated by title IV.

(3) The wildlands juniper management area established by title V.

#### SEC. 102. PURPOSE AND OBJECTIVES OF COOPERATIVE MANAGEMENT AND PROTECTION AREA.

(a) **PURPOSE.**—The purpose of the Cooperative Management and Protection Area is to conserve, protect, and manage the long-term ecological integrity of Steens Mountain for future and present generations.

(b) **OBJECTIVES.**—To further the purpose specified in subsection (a), and consistent with such purpose, the Secretary shall manage the Cooperative Management and Protection Area for the benefit of present and future generations—

(1) to maintain and enhance cooperative and innovative management projects, programs and agreements between tribal, public, and private interests in the Cooperative Management and Protection Area;

(2) to promote grazing, recreation, historic, and other uses that are sustainable;

(3) to conserve, protect and to ensure traditional access to cultural, gathering, religious, and archaeological sites by the Burns Paiute Tribe on Federal lands and to promote cooperation with private landowners;

(4) to ensure the conservation, protection, and improved management of the ecological, social, and economic environment of the Cooperative Management and Protection Area, including geological, biological, wildlife, riparian, and scenic resources; and

(5) to promote and foster cooperation, communication, and understanding and to reduce conflict between Steens Mountain users and interests.

### Subtitle B—Management of Federal Lands

#### SEC. 111. MANAGEMENT AUTHORITIES AND PURPOSES.

(a) **IN GENERAL.**—The Secretary shall manage all Federal lands included in the Cooperative Management and Protection Area pursuant to the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) and other applicable provisions of law, including this Act, in a manner that—

(1) ensures the conservation, protection, and improved management of the ecological, social and economic environment of the Cooperative Management and Protection Area, including geological, biological, wildlife, riparian, and scenic resources, North American Indian tribal and cultural and archaeological resource sites, and additional cultural and historic sites; and

(2) recognizes and allows current and historic recreational use.

(b) **MANAGEMENT PLAN.**—Within four years after the date of the enactment of this Act, the Secretary shall develop a comprehensive



plan for the long-range protection and management of the Federal lands included in the Cooperative Management and Protection Area, including the Wilderness Area. The plan shall—

(1) describe the appropriate uses and management of the Cooperative Management and Protection Area consistent with this Act;

(2) incorporate, as appropriate, decisions contained in any current or future management or activity plan for the Cooperative Management and Protection Area and use information developed in previous studies of the lands within or adjacent to the Cooperative Management and Protection Area;

(3) provide for coordination with State, county, and private local landowners and the Burns Paiute Tribe; and

(4) determine measurable and achievable management objectives, consistent with the management objectives in section 102, to ensure the ecological integrity of the area.

(c) **MONITORING.**—The Secretary shall implement a monitoring program for Federal lands in the Cooperative Management and Protection Area so that progress towards ecological integrity objectives can be determined.

#### SEC. 112. ROADS AND TRAVEL ACCESS.

(a) **TRANSPORTATION PLAN.**—The management plan shall include, as an integral part, a comprehensive transportation plan for the Federal lands included in the Cooperative Management and Protection Area, which shall address the maintenance, improvement, and closure of roads and trails as well as travel access.

(b) **PROHIBITION ON OFF-ROAD MOTORIZED TRAVEL.**—

(1) **PROHIBITION.**—The use of motorized or mechanized vehicles on Federal lands included in the Cooperative Management and Protection Area—

(A) is prohibited off road; and

(B) is limited to such roads and trails as may be designated for their use as part of the management plan.

(2) **EXCEPTIONS.**—Paragraph (1) does not prohibit the use of motorized or mechanized vehicles on Federal lands included in the Cooperative Management and Protection Area if the Secretary determines that such use—

(A) is needed for administrative purposes or to respond to an emergency; or

(B) is appropriate for the construction or maintenance of agricultural facilities, fish and wildlife management, or ecological restoration projects, except in areas designated as wilderness or managed under the provisions of section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782).

(c) **ROAD CLOSURES.**—Any determination to permanently close an existing road in the Cooperative Management and Protection Area or to restrict the access of motorized or mechanized vehicles on certain roads shall be made in consultation with the advisory council and the public.

(d) **PROHIBITION ON NEW CONSTRUCTION.**—

(1) **PROHIBITION, EXCEPTION.**—No new road or trail for motorized or mechanized vehicles may be constructed on Federal lands in the Cooperative Management and Protection Area unless the Secretary determines that the road or trail is necessary for public safety or protection of the environment. Any determination under this subsection shall be made in consultation with the advisory council and the public.

(2) **TRAILS.**—Nothing in this subsection is intended to limit the authority of the Secretary to construct or maintain trails for nonmotorized or nonmechanized use.

(e) **ACCESS TO NONFEDERALLY OWNED LANDS.**—

(1) **REASONABLE ACCESS.**—The Secretary shall provide reasonable access to nonfeder-

ally owned lands or interests in land within the boundaries of the Cooperative Management and Protection Area and the Wilderness Area to provide the owner of the land or interest the reasonable use thereof.

(2) **EFFECT ON EXISTING RIGHTS-OF-WAY.**—Nothing in this Act shall have the effect of terminating any valid existing right-of-way on Federal lands included in the Cooperative Management and Protection Area.

#### SEC. 113. LAND USE AUTHORITIES.

(a) **IN GENERAL.**—The Secretary shall allow only such uses of the Federal lands included in the Cooperative Management and Protection Area as the Secretary finds will further the purposes for which the Cooperative Management and Protection Area is established.

(b) **COMMERCIAL TIMBER.**—

(1) **PROHIBITION.**—The Federal lands included in the Cooperative Management and Protection Area shall not be made available for commercial timber harvest.

(2) **LIMITED EXCEPTION.**—The Secretary may authorize the removal of trees from Federal lands in the Cooperative Management and Protection Area only if the Secretary determines that the removal is clearly needed for purposes of ecological restoration and maintenance or for public safety. Except in the Wilderness Area and the wilderness study areas referred to in section 204(a), the Secretary may authorize the sale of products resulting from the authorized removal of trees under this paragraph.

(c) **JUNIPER MANAGEMENT.**—The Secretary shall emphasize the restoration of the historic fire regime in the Cooperative Management and Protection Area and the resulting native vegetation communities through active management of Western Juniper on a landscape level. Management measures shall include the use of natural and prescribed burning.

(d) **HUNTING, FISHING, AND TRAPPING.**—

(1) **AUTHORIZATION.**—The Secretary shall permit hunting, fishing, and trapping on Federal lands included in the Cooperative Management and Protection Area in accordance with applicable laws and regulations of the United States and the State of Oregon.

(2) **AREA AND TIME LIMITATIONS.**—After consultation with the Oregon Department of Fish and Wildlife, the Secretary may designate zones where, and establish periods when, hunting, trapping or fishing is prohibited on Federal lands included in the Cooperative Management and Protection Area for reasons of public safety, administration, or public use and enjoyment.

(e) **GRAZING.**—

(1) **CONTINUATION OF EXISTING LAW.**—Except as otherwise provided in this section and title VI, the laws, regulations, and executive orders otherwise applicable to the Bureau of Land Management in issuing and administering grazing leases and permits on lands under its jurisdiction shall apply in regard to the Federal lands included in the Cooperative Management and Protection Area.

(2) **CANCELLATION OF CERTAIN PERMITS.**—The Secretary shall cancel that portion of the permitted grazing on Federal lands in the Fish Creek/Big Indian, East Ridge, and South Steens allotments located within the area designated as the “no livestock grazing area” on the map referred to in section 101(a). Upon cancellation, future grazing use in that designated area is prohibited. The Secretary shall be responsible for installing and maintaining any fencing required for resource protection within the designated no livestock grazing area.

(3) **FORAGE REPLACEMENT.**—Reallocation of available forage shall be made as follows:

(A) O’Keefe pasture within the Miners Field allotment to Stafford Ranches.

(B) Fields Seeding and Bone Creek Pasture east of the county road within the Miners Field allotment to Amy Ready.

(C) Miners Field Pasture, Schouwer Seeding and Bone Creek Pasture west of the county road within the Miners Field allotment to Roaring Springs Ranch.

(D) 800 animal unit months within the Crows Nest allotment to Lowther (Clemens) Ranch.

(4) **FENCING AND WATER SYSTEMS.**—The Secretary shall also construct fencing and develop water systems as necessary to allow reasonable and efficient livestock use of the forage resources referred to in paragraph (3).

(f) **PROHIBITION ON CONSTRUCTION OF FACILITIES.**—No new facilities may be constructed on Federal lands included in the Cooperative Management and Protection Area unless the Secretary determines that the structure—

(1) will be minimal in nature;

(2) is consistent with the purposes of this Act; and

(3) is necessary—

(A) for enhancing botanical, fish, wildlife, or watershed conditions;

(B) for public information, health, or safety;

(C) for the management of livestock; or

(D) for the management of recreation, but not for the promotion of recreation.

(g) **WITHDRAWAL.**—Subject to valid existing rights, the Federal lands and interests in lands included in the Cooperative Management and Protection Areas are hereby withdrawn from all forms of entry, appropriation, or disposal under the public land laws, except in the case of land exchanges if the Secretary determines that the exchange furthers the purpose and objectives specified in section 102 and so certifies to Congress.

#### SEC. 114. LAND ACQUISITION AUTHORITY.

(a) **ACQUISITION.**—

(1) **ACQUISITION AUTHORIZED.**—In addition to the land acquisitions authorized by title VI, the Secretary may acquire other non-Federal lands and interests in lands located within the boundaries of the Cooperative Management and Protection Area or the Wilderness Area.

(2) **ACQUISITION METHODS.**—Lands may be acquired under this subsection only by voluntary exchange, donation, or purchase from willing sellers.

(b) **TREATMENT OF ACQUIRED LANDS.**—

(1) **IN GENERAL.**—Subject to paragraphs (2) and (3), lands or interests in lands acquired under subsection (a) or title VI that are located within the boundaries of the Cooperative Management and Protection Area shall—

(A) become part of the Cooperative Management and Protection Area; and

(B) be managed pursuant to the laws applicable to the Cooperative Management and Protection Area.

(2) **LANDS WITHIN WILDERNESS AREA.**—If lands or interests in lands acquired under subsection (a) or title VI are within the boundaries of the Wilderness Area, the acquired lands or interests in lands shall—

(1) become part of the Wilderness Area; and

(2) be managed pursuant to title II and the other laws applicable to the Wilderness Area.

(3) **LANDS WITHIN WILDERNESS STUDY AREA.**—If the lands or interests in lands acquired under subsection (a) or title VI are within the boundaries of a wilderness study area, the acquired lands or interests in lands shall—

(1) become part of that wilderness study area; and

(2) be managed pursuant to the laws applicable to that wilderness study area.

(c) **APPRAISAL.**—In appraising non-Federal land, development rights, or conservation easements for possible acquisition under this



section or section 122, the Secretary shall disregard any adverse impacts on values resulting from the designation of the Cooperative Management and Protection Area or the Wilderness Area.

#### SEC. 115. SPECIAL USE PERMITS.

The Secretary may renew a special recreational use permit applicable to lands included in the Wilderness Area to the extent that the Secretary determines that the permit is consistent with the Wilderness Act (16 U.S.C. 1131 et seq.). If renewal is not consistent with the Wilderness Act, the Secretary shall seek other opportunities for the permit holder through modification of the permit to realize historic permit use to the extent that the use is consistent with the Wilderness Act and this Act, as determined by the Secretary.

#### Subtitle C—Cooperative Management

#### SEC. 121. COOPERATIVE MANAGEMENT AGREEMENTS.

(a) COOPERATIVE EFFORTS.—To further the purposes and objectives for which the Cooperative Management and Protection Area is designated, the Secretary may work with non-Federal landowners and other parties who voluntarily agree to participate in the cooperative management of Federal and non-Federal lands in the Cooperative Management and Protection Area.

(b) AGREEMENTS AUTHORIZED.—The Secretary may enter into a cooperative management agreement with any party to provide for the cooperative conservation and management of the Federal and non-Federal lands subject to the agreement.

(c) OTHER PARTICIPANTS.—With the consent of the landowners involved, the Secretary may permit permittees, special-use permit holders, other Federal and State agencies, and interested members of the public to participate in a cooperative management agreement as appropriate to achieve the resource or land use management objectives of the agreement.

(d) TRIBAL CULTURAL SITE PROTECTION.—The Secretary may enter into agreements with the Burns Paiute Tribe to protect cultural sites in the Cooperative Management and Protection Area of importance to the tribe.

#### SEC. 122. COOPERATIVE EFFORTS TO CONTROL DEVELOPMENT AND ENCOURAGE CONSERVATION.

(a) POLICY.—Development on public and private lands within the boundaries of the Cooperative Management and Protection Area which is different from the current character and uses of the lands is inconsistent with the purposes of this Act.

(b) USE OF NONDEVELOPMENT AND CONSERVATION EASEMENTS.—The Secretary may enter into a nondevelopment easement or conservation easement with willing landowners to further the purposes of this Act.

(c) CONSERVATION INCENTIVE PAYMENTS.—The Secretary may provide technical assistance, cost-share payments, incentive payments, and education to a private landowner in the Cooperative Management and Protection Area who enters into a contract with the Secretary to protect or enhance ecological resources on the private land covered by the contract if those protections or enhancements benefit public lands.

(d) RELATION TO PROPERTY RIGHTS AND STATE AND LOCAL LAW.—Nothing in this Act is intended to affect rights or interests in real property or supersede State law.

#### Subtitle D—Advisory Council

#### SEC. 131. ESTABLISHMENT OF ADVISORY COUNCIL.

(a) ESTABLISHMENT.—The Secretary shall establish the Steens Mountain Advisory Council to advise the Secretary in managing

the Cooperative Management and Protection Area and in promoting the cooperative management under subtitle C.

(b) MEMBERS.—The advisory council shall consist of 12 voting members, to be appointed by the Secretary, as follows:

(1) A private landowner in the Cooperative Management and Protection Area, appointed from nominees submitted by the county court for Harney County, Oregon.

(2) Two persons who are grazing permittees on Federal lands in the Cooperative Management and Protection Area, appointed from nominees submitted by the county court for Harney County, Oregon.

(3) A person interested in fish and recreational fishing in the Cooperative Management and Protection Area, appointed from nominees submitted by the Governor of Oregon.

(4) A member of the Burns Paiute Tribe, appointed from nominees submitted by the Burns Paiute Tribe.

(5) Two persons who are recognized environmental representatives, one of whom shall represent the State as a whole, and one of whom is from the local area, appointed from nominees submitted by the Governor of Oregon.

(6) A person who participates in what is commonly called dispersed recreation, such as hiking, camping, nature viewing, nature photography, bird watching, horse back riding, or trail walking, appointed from nominees submitted by the Oregon State Director of the Bureau of Land Management.

(7) A person who is a recreational permit holder or is a representative of a commercial recreation operation in the Cooperative Management and Protection Area, appointed from nominees submitted jointly by the Oregon State Director of the Bureau of Land Management and the county court for Harney County, Oregon.

(8) A person who participates in what is commonly called mechanized or consumptive recreation, such as hunting, fishing, off-road driving, hang gliding, or parasailing, appointed from nominees submitted by the Oregon State Director of the Bureau of Land Management.

(9) A person with expertise and interest in wild horse management on Steens Mountain, appointed from nominees submitted by the Oregon State Director of the Bureau of Land Management.

(10) A person who has no financial interest in the Cooperative Management and Protection Area to represent statewide interests, appointed from nominees submitted by the Governor of Oregon.

(c) CONSULTATION.—In reviewing nominees submitted under subsection (b) for possible appointment to the advisory council, the Secretary shall consult with the respective community of interest that the nominees are to represent to ensure that the nominees have the support of their community of interest.

(d) TERMS.—

(1) STAGGERED TERMS.—Members of the advisory council shall be appointed for terms of three years, except that, of the members first appointed, four members shall be appointed for a term of one year and four members shall be appointed for a term of two years.

(2) REAPPOINTMENT.—A member may be reappointed to serve on the advisory council.

(3) VACANCY.—A vacancy on the advisory council shall be filled in the same manner as the original appointment.

(d) CHAIRPERSON AND PROCEDURES.—The advisory council shall elect a chairperson and establish such rules and procedures as it deems necessary or desirable.

(e) SERVICE WITHOUT COMPENSATION.—Members of the advisory council shall serve

without pay, but the Secretary shall reimburse members for reasonable expenses incurred in carrying out official duties as a member of the council.

(f) ADMINISTRATIVE SUPPORT.—The Secretary shall provide the advisory council with necessary administrative support and shall designate an appropriate officer of the Bureau of Land Management to serve as the Secretary's liaison to the council.

(g) STATE LIAISON.—The Secretary shall appoint one person, nominated by the Governor of Oregon, to serve as the State government liaison to the advisory council.

(h) APPLICABLE LAW.—The advisory committee shall be subject to the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) and the Federal Advisory Committee Act (5 U.S.C. App.).

#### SEC. 132. ADVISORY ROLE IN MANAGEMENT ACTIVITIES.

(a) MANAGEMENT RECOMMENDATIONS.—The advisory committee shall utilize sound science, existing plans for the management of Federal lands included in the Cooperative Management and Protection Area, and other tools to formulate recommendations for the Secretary regarding—

(1) new and unique approaches to the management of lands within the boundaries of the Cooperative Management and Protection Area; and

(2) cooperative programs and incentives for seamless landscape management that meets human needs and maintains and improves the ecological and economic integrity of the Cooperative Management and Protection Area.

(b) PREPARATION OF MANAGEMENT PLAN.—The Secretary shall consult with the advisory committee as part of the preparation and implementation of the management plan.

(c) SUBMISSION OF RECOMMENDATIONS.—No recommendations may be presented to the Secretary by the advisory council without the agreement of at least nine members of the advisory council.

#### SEC. 133. SCIENCE COMMITTEE.

The Secretary shall appoint, as needed or at the request of the advisory council, a team of respected, knowledgeable, and diverse scientists to provide advice on questions relating to the management of the Cooperative Management and Protection Area to the Secretary and the advisory council. The Secretary shall seek the advice of the advisory council in making these appointments.

#### TITLE II—STEENS MOUNTAIN WILDERNESS AREA

#### SEC. 201. DESIGNATION OF STEENS MOUNTAIN WILDERNESS AREA.

The Federal lands in the Cooperative Management and Protection Area depicted as wilderness on the map entitled "Steens Mountain Wilderness Area" and dated September 18, 2000, are hereby designated as wilderness and therefore as a component of the National Wilderness Preservation System. The wilderness area shall be known as the Steens Mountain Wilderness Area.

#### SEC. 202. ADMINISTRATION OF WILDERNESS AREA.

(a) GENERAL RULE.—The Secretary shall administer the Wilderness Area in accordance with this title and the Wilderness Act (16 U.S.C. 1131 et seq.). Any reference in the Wilderness Act to the effective date of that Act (or any similar reference) shall be deemed to be a reference to the date of the enactment of this Act.

(b) WILDERNESS BOUNDARIES ALONG ROADS.—Where a wilderness boundary exists along a road, the wilderness boundary shall be set back from the centerline of the road, consistent with the Bureau of Land Management's guidelines as established in its Wilderness Management Policy.

(c) ACCESS TO NON-FEDERAL LANDS.—The Secretary shall provide reasonable access to private lands within the boundaries of the Wilderness Area, as provided in section 112(d).

(d) GRAZING.—

(1) ADMINISTRATION.—Except as provided in section 113(e)(2), grazing of livestock shall be administered in accordance with the provision of section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)), in accordance with the provisions of this Act, and in accordance with the guidelines set forth in Appendices A and B of House Report 101-405 of the 101st Congress.

(2) RETIREMENT OF CERTAIN PERMITS.—The Secretary shall permanently retire all grazing permits applicable to certain lands in the Wilderness Area, as depicted on the map referred to in section 101(a), and livestock shall be excluded from these lands.

#### SEC. 203. WATER RIGHTS.

Nothing in this Act shall constitute an express or implied claim or denial on the part of the Federal Government as to exemption from State water laws.

#### SEC. 204. TREATMENT OF WILDERNESS STUDY AREAS.

(a) STATUS UNAFFECTED.—Except as provided in section 502, any wilderness study area, or portion of a wilderness study area, within the boundaries of the Cooperative Management and Protection Area, but not included in the Wilderness Area, shall remain a wilderness study area notwithstanding the enactment of this Act.

(b) MANAGEMENT.—The wilderness study areas referred to in subsection (a) shall continue to be managed under section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)) in a manner so as not to impair the suitability of the areas for preservation as wilderness.

(c) EXPANSION OF BASQUE HILLS WILDERNESS STUDY AREA.—The boundaries of the Basque Hills Wilderness Study Area are hereby expanded to include the Federal lands within sections 8, 16, 17, 21, 22, and 27 of township 36 south, range 31 east, Willamette Meridian. These lands shall be managed under section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)) to protect and enhance the wilderness values of these lands.

### TITLE III—WILD AND SCENIC RIVERS AND TROUT RESERVE

#### SEC. 301. DESIGNATION OF STREAMS FOR WILD AND SCENIC RIVER STATUS IN STEENS MOUNTAIN AREA.

(a) EXPANSION OF DONNER UND BLITZEN WILD RIVER.—Section 3(a)(74) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)(74)) is amended—

(1) by striking “the” at the beginning of each subparagraph and inserting “The”;

(2) by striking the semicolon at the end of subparagraphs (A), (B), (C), and (D) and inserting a period;

(3) by striking “; and” at the end of subparagraph (E) and inserting a period; and

(4) by adding at the end the following new subparagraphs:

“(G) The 5.1 mile segment of Mud Creek from its confluence with an unnamed spring in the SW¼SE¼ of section 32, township 33 south, range 33 east, to its confluence with the Donner und Blitzen River.

“(H) The 8.1 mile segment of Ankle Creek from its headwaters to its confluence with the Donner und Blitzen River.

“(I) The 1.6 mile segment of the South Fork of Ankle Creek from its confluence with an unnamed tributary in the SE¼SE¼ of section 17, township 34 south, range 33 east, to its confluence with Ankle Creek.”.

(b) DESIGNATION OF WILDHORSE AND KIGER CREEKS, OREGON.—Section 3(a) of the Wild

and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end the following new paragraph:

“(\_\_\_\_) WILDHORSE AND KIGER CREEKS, OREGON.—The following segments in the Steens Mountain Cooperative Management and Protection Area in the State of Oregon, to be administered by the Secretary of the Interior as wild rivers:

“(A) The 2.6-mile segment of Little Wildhorse Creek from its headwaters to its confluence with Wildhorse Creek.

“(B) The 7.0-mile segment of Wildhorse Creek from its headwaters, and including .36 stream miles into section 34, township 34 south, range 33 east.

“(C) The approximately 4.25-mile segment of Kiger Creek from its headwaters to the point at which it leaves the Steens Mountain Wilderness Area within the Steens Mountain Cooperative Management and Protection Area.”.

(c) MANAGEMENT.—Where management requirements for a stream segment described in the amendments made by this section differ between the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.) and the Wilderness Area, the more restrictive requirements shall apply.

#### SEC. 302. DONNER UND BLITZEN RIVER REDBAND TROUT RESERVE.

(a) FINDINGS.—The Congress finds the following:

(1) Those portions of the Donner und Blitzen River in the Wilderness Area are an exceptional environmental resource that provides habitat for unique populations of native fish, migratory waterfowl, and other wildlife resources, including a unique population of redband trout.

(2) Redband trout represent a unique natural history reflecting the Pleistocene connection between the lake basins of eastern Oregon and the Snake and Columbia Rivers.

(b) DESIGNATION OF RESERVE.—The Secretary shall designate the Donner und Blitzen Redband Trout Reserve consisting of the Donner und Blitzen River in the Wilderness Area above its confluence with Fish Creek and the Federal riparian lands immediately adjacent to the river.

(c) RESERVE PURPOSES.—The purposes of the Redband Trout Reserve are—

(1) to conserve, protect, and enhance the Donner und Blitzen River population of redband trout and the unique ecosystem of plants, fish, and wildlife of a river system; and

(2) to provide opportunities for scientific research, environmental education, and fish and wildlife oriented recreation and access to the extent compatible with paragraph (1).

(d) EXCLUSION OF PRIVATE LANDS.—The Redband Trout Reserve does not include any private lands adjacent to the Donner und Blitzen River or its tributaries.

(e) ADMINISTRATION.—

(1) IN GENERAL.—The Secretary shall administer all lands, waters, and interests therein in the Redband Trout Reserve consistent with the Wilderness Act (16 U.S.C. 1131 et seq.) and the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.).

(2) CONSULTATION.—In administering the Redband Trout Reserve, the Secretary shall consult with the advisory council and cooperate with the Oregon Department of Fish and Wildlife.

(3) RELATION TO RECREATION.—To the extent consistent with applicable law, the Secretary shall manage recreational activities in the Redband Trout Reserve in a manner that conserves the unique population of redband trout native to the Donner und Blitzen River.

(4) REMOVAL OF DAM.—The Secretary shall remove the dam located below the mouth of Fish Creek and above Page Springs if re-

moval of the dam is scientifically justified and funds are available for such purpose.

(f) OUTREACH AND EDUCATION.—The Secretary may work with, provide technical assistance to, provide community outreach and education programs for or with, or enter into cooperative agreements with private landowners, State and local governments or agencies, and conservation organizations to further the purposes of the Redband Trout Reserve.

### TITLE IV—MINERAL WITHDRAWAL AREA

#### SEC. 401. DESIGNATION OF MINERAL WITHDRAWAL AREA.

(a) DESIGNATION.—Subject to valid existing rights, the Federal lands and interests in lands included within the withdrawal boundary as depicted on the map referred to in section 101(a) are hereby withdrawn from—

(1) location, entry and patent under the mining laws; and,

(2) operation of the mineral leasing and geothermal leasing laws and from the minerals materials laws and all amendments thereto except as specified in subsection (b).

(b) ROAD MAINTENANCE.—If consistent with the purposes of this Act and the management plan for the Cooperative Management and Protection Area, the Secretary may permit the development of saleable mineral resources, for road maintenance use only, in those locations identified on the map referred to in section 101(a) as an existing “gravel pit” within the mineral withdrawal boundaries (excluding the Wilderness Area, wilderness study areas, and designated segments of the National Wild and Scenic Rivers System) where such development was authorized before the date of enactment of this Act.

#### SEC. 402. TREATMENT OF STATE LANDS AND MINERAL INTERESTS.

(a) ACQUISITION REQUIRED.—The Secretary shall acquire, for approximately equal value and as agreed to by the Secretary and the State of Oregon, lands and interests in lands owned by the State within the boundaries of the mineral withdrawal area designated pursuant to section 401.

(b) ACQUISITION METHODS.—The Secretary shall acquire such State lands and interests in lands in exchange for—

(1) Federal lands or Federal mineral interests that are outside the boundaries of the mineral withdrawal area;

(2) a monetary payment to the State; or

(3) a combination of a conveyance under paragraph (1) and a monetary payment under paragraph (2).

### TITLE V—ESTABLISHMENT OF WILDLANDS JUNIPER MANAGEMENT AREA

#### SEC. 501. WILDLANDS JUNIPER MANAGEMENT AREA.

(a) ESTABLISHMENT.—To further the purposes of section 113(c), the Secretary shall establish a special management area consisting of certain Federal lands in the Cooperative Management and Protection Area, as depicted on the map referred to in section 101(a), which shall be known as the Wildlands Juniper Management Area.

(b) MANAGEMENT.—Special management practices shall be adopted for the Wildlands Juniper Management Area for the purposes of experimentation, education, interpretation, and demonstration of active and passive management intended to restore the historic fire regime and native vegetation communities on Steens Mountain.

(c) AUTHORIZATION OF APPROPRIATIONS.—In addition to the authorization of appropriations in section 701, there is authorized to be appropriated \$5,000,000 to carry out this title and section 113(c) regarding juniper management in the Cooperative Management and Protection Area.

**SEC. 502. RELEASE FROM WILDERNESS STUDY AREA STATUS.**

The Federal lands included in the Wildlands Juniper Management Area established under section 501 are no longer subject to the requirement of section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)) pertaining to managing the lands so as not to impair the suitability of the lands for preservation as wilderness.

**TITLE VI—LAND EXCHANGES****SEC. 601. LAND EXCHANGE, ROARING SPRINGS RANCH.**

(a) EXCHANGE AUTHORIZED.—For the purpose of protecting and consolidating Federal lands within the Cooperative Management and Protection Area, the Secretary may carry out a land exchange with Roaring Springs Ranch, Incorporated, to convey all right, title, and interest of the United States in and to certain parcels of land under the jurisdiction of the Bureau of Land Management in the vicinity of Steens Mountain, Oregon, as depicted on the map referred to in section 605(a), consisting of a total of approximately 76,374 acres in exchange for the private lands described in subsection (b).

(b) RECEIPT OF NON-FEDERAL LANDS.—As consideration for the conveyance of the Federal lands referred to in subsection (a) and the disbursement referred to in subsection (d), Roaring Springs Ranch, Incorporated, shall convey to the Secretary parcels of land consisting of approximately 10,909 acres, as depicted on the map referred to in section 605(a), for inclusion in the Wilderness Area, a wilderness study area, and the no livestock grazing area as appropriate.

(c) TREATMENT OF GRAZING.—Paragraphs (2) and (3) of section 113(e), relating to the effect of the cancellation in part of grazing permits for the South Steens allotment in the Wilderness Area and reassignment of use areas as described in paragraph (3)(C) of such section, shall apply to the land exchange authorized by this section.

(d) DISBURSEMENT.—Upon completion of the land exchange authorized by this section, the Secretary is authorized to make a disbursement to Roaring Springs Ranch, Incorporated, in the amount of \$2,889,000.

(e) COMPLETION OF CONVEYANCE.—The Secretary shall complete the conveyance of the Federal lands under subsection (a) within 70 days after the Secretary accepts the lands described in subsection (b).

**SEC. 602. LAND EXCHANGES, C.M. OTLEY AND OTLEY BROTHERS.**

(a) C. M. OTLEY EXCHANGE.—

(1) EXCHANGE AUTHORIZED.—For the purpose of protecting and consolidating Federal lands within the Cooperative Management and Protection Area, the Secretary may carry out a land exchange with C. M. Otley to convey all right, title, and interest of the United States in and to certain parcels of land under the jurisdiction of the Bureau of Land Management in the vicinity of Steens Mountain, Oregon, as depicted on the map referred to in section 605(a), consisting of a total of approximately 3,845 acres in exchange for the private lands described in paragraph (2).

(2) RECEIPT OF NON-FEDERAL LANDS.—As consideration for the conveyance of the Federal lands referred to in paragraph (1) and the disbursement referred to in paragraph (3), C. M. Otley shall convey to the Secretary a parcel of land in the headwaters of Kiger gorge consisting of approximately 851 acres, as depicted on the map referred to in section 605(a), for inclusion in the Wilderness Area and the no livestock grazing area as appropriate.

(3) DISBURSEMENT.—Upon completion of the land exchange authorized by this sub-

section, the Secretary is authorized to make a disbursement to C.M. Otley, in the amount of \$920,000.

(b) OTLEY BROTHERS EXCHANGE.—

(1) EXCHANGE AUTHORIZED.—For the purpose of protecting and consolidating Federal lands within the Cooperative Management and Protection Area, the Secretary may carry out a land exchange with the Otley Brother's, Inc., to convey all right, title, and interest of the United States in and to certain parcels of land under the jurisdiction of the Bureau of Land Management in the vicinity of Steens Mountain, Oregon, as depicted on the map referred to in section 605(a), consisting of a total of approximately 6,881 acres in exchange for the private lands described in paragraph (2).

(2) RECEIPT OF NON-FEDERAL LANDS.—As consideration for the conveyance of the Federal lands referred to in paragraph (1) and the disbursement referred to in subsection (3), the Otley Brother's, Inc., shall convey to the Secretary a parcel of land in the headwaters of Kiger gorge consisting of approximately 505 acres, as depicted on the map referred to in section 605(a), for inclusion in the Wilderness Area and the no livestock grazing area as appropriate.

(3) DISBURSEMENT.—Upon completion of the land exchange authorized by this subsection, the Secretary is authorized to make a disbursement to Otley Brother's, Inc., in the amount of \$400,000.

(c) COMPLETION OF CONVEYANCE.—The Secretary shall complete the conveyances of the Federal lands under subsections (a) and (b) within 70 days after the Secretary accepts the lands described in such subsections.

**SEC. 603. LAND EXCHANGE, TOM J. DAVIS LIVESTOCK, INCORPORATED.**

(a) EXCHANGE AUTHORIZED.—For the purpose of protecting and consolidating Federal lands within the Wilderness Area, the Secretary may carry out a land exchange with Tom J. Davis Livestock, Incorporated, to convey all right, title, and interest of the United States in and to certain parcels of land under the jurisdiction of the Bureau of Land Management in the vicinity of Steens Mountain, Oregon, as depicted on the map referred to in section 605(a), consisting of a total of approximately 5,340 acres in exchange for the private lands described in subsection (b).

(b) RECEIPT OF NON-FEDERAL LANDS.—As consideration for the conveyance of the Federal lands referred to in subsection (a) and the disbursement referred to in subsection (c), Tom J. Davis Livestock, Incorporated, shall convey to the Secretary a parcel of land consisting of approximately 5,103 acres, as depicted on the map referred to in section 605(a), for inclusion in the Wilderness Area.

(c) DISBURSEMENT.—Upon completion of the land exchange authorized by this section, the Secretary is authorized to make a disbursement to Tom J. Davis Livestock, Incorporated, in the amount of \$800,000.

(d) COMPLETION OF CONVEYANCE.—The Secretary shall complete the conveyance of the Federal lands under subsection (a) within 70 days after the Secretary accepts the lands described in subsection (b).

**SEC. 604. LAND EXCHANGE, LOWTHER (CLEMENS) RANCH.**

(a) EXCHANGE AUTHORIZED.—For the purpose of protecting and consolidating Federal lands within the Cooperative Management and Protection Area, the Secretary may carry out a land exchange with the Lowther (Clemens) Ranch to convey all right, title, and interest of the United States in and to certain parcels of land under the jurisdiction of the Bureau of Land Management in the vicinity of Steens Mountain, Oregon, as depicted on the map referred to in section

605(a), consisting of a total of approximately 11,796 acres in exchange for the private lands described in subsection (b).

(b) RECEIPT OF NON-FEDERAL LANDS.—As consideration for the conveyance of the Federal lands referred to in subsection (a) and the disbursement referred to in subsection (d), the Lowther (Clemens) Ranch shall convey to the Secretary a parcel of land consisting of approximately 1,078 acres, as depicted on the map referred to in section 605(a), for inclusion in the Cooperative Management and Protection Area.

(c) TREATMENT OF GRAZING.—Paragraphs (2) and (3) of section 113(e), relating to the effect of the cancellation in whole of the grazing permit for the Fish Creek/Big Indian allotment in the Wilderness Area and reassignment of use areas as described in paragraph (3)(D) of such section, shall apply to the land exchange authorized by this section.

(d) DISBURSEMENT.—Upon completion of the land exchange authorized by this section, the Secretary is authorized to make a disbursement to Lowther (Clemens) Ranch, in the amount of \$148,000.

(e) COMPLETION OF CONVEYANCE.—The Secretary shall complete the conveyance of the Federal lands under subsection (a) within 70 days after the Secretary accepts the lands described in subsection (b).

**SEC. 605. GENERAL PROVISIONS APPLICABLE TO LAND EXCHANGES.**

(a) MAP.—The land conveyances described in this title are generally depicted on the map entitled "Steens Mountain Land Exchanges" and dated September 18, 2000.

(b) APPLICABLE LAW.—Except as otherwise provided in this section, the exchange of Federal land under this title is subject to the existing laws and regulations applicable to the conveyance and acquisition of land under the jurisdiction of the Bureau of Land Management. It is anticipated that the Secretary will be able to carry out such land exchanges without the promulgation of additional regulations and without regard to the notice and comment provisions of section 553 of title 5, United States Code.

(c) CONDITIONS ON ACCEPTANCE.—Title to the non-Federal lands to be conveyed under this title must be acceptable to the Secretary, and the conveyances shall be subject to valid existing rights of record. The non-Federal lands shall conform with the title approval standards applicable to Federal land acquisitions.

(d) LEGAL DESCRIPTIONS.—The exact acreage and legal description of all lands to be exchanged under this title shall be determined by surveys satisfactory to the Secretary. The costs of any such survey, as well as other administrative costs incurred to execute a land exchange under this title, shall be borne by the Secretary.

**TITLE VII—FUNDING AUTHORITIES****SEC. 701. AUTHORIZATION OF APPROPRIATIONS.**

Except as provided in sections 501(c) and 702, there is hereby authorized to be appropriated such sums as may be necessary to carry out this Act.

**SEC. 702. USE OF LAND AND WATER CONSERVATION FUND.**

(a) AVAILABILITY OF FUND.—There are authorized to be appropriated \$25,000,000 from the land and water conservation fund established under section 2 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-5) to provide funds for the acquisition of land and interests in land under section 114 and to enter into nondevelopment easements and conservation easements under subsections (b) and (c) of section 122.

(b) TERM OF USE.—Amounts appropriated pursuant to the authorization of appropriations in subsection (a) shall remain available until expended.

The CHAIRMAN. During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Chairman of the Committee of the Whole may postpone a request for a recorded vote on any amendment and may reduce to a minimum of 5 minutes the time for voting on any postponed question that immediately follows another vote, provided that the time for voting on the first question shall be a minimum of 15 minutes.

Are there any amendments?

If not, the question is on the amendment in the nature of a substitute.

The amendment in the nature of a substitute was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. KNOLLENBERG) having assumed the chair, Mrs. BIGGERT, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4828), to designate wilderness areas and a cooperative management and protection area in the vicinity of Steens Mountain in Harney County, Oregon, and for other purposes, pursuant to House Resolution 609, she reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the amendment in the nature of a substitute.

The amendment in the nature of a substitute was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title of the bill was amended so as to read: "A bill to designate the Steens Mountain Wilderness Area and the Steens Mountain Cooperative Management and Protection Area in Harney County, Oregon, and for other purposes."

A motion to reconsider was laid on the table.

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#### APPOINTMENT OF CONFEREES ON H.R. 820, COAST GUARD AUTHORIZATION ACT OF 1999

Mr. GILCHREST. Madam Speaker, pursuant to clause 1 of rule XXII and by direction of the Committee on Transportation and Infrastructure, I move to take from the Speaker's table the bill (H.R. 820) to authorize appropriations for fiscal years 2000 and 2001 for the Coast Guard, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment and agree to the conference asked by the Senate.

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from Maryland (Mr. GILCHREST).

The motion was agreed to.

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees: Messrs. SHUSTER, YOUNG of Alaska, GILCHREST, DEFAZIO, and BAIRD.

There was no objection.

#### APPOINTMENT OF CONFEREES ON S. 835, ESTUARY HABITAT AND CHESAPEAKE BAY RESTORATION ACT OF 2000

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees on the Senate bill (S. 835) to encourage the restoration of estuary habitat through more efficient project financing and enhanced coordination of Federal and non-Federal restoration programs, and for other purposes:

Messrs. SHUSTER, YOUNG of Alaska, BOEHLERT, and GILCHREST, Mrs. FOWLER, and Messrs. SHERWOOD, SWEENEY, KUYKENDALL, VITTER, OBERSTAR, BORSKI, BARCIA, FILNER, TAYLOR of Mississippi, BLUMENAUER, and BALDACCI.

There was no objection.

#### APPOINTMENT OF CONFEREES ON H.R. 4392, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2001

Mr. GOSS. Madam Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 4392) to authorize appropriations for fiscal year 2001 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida? The Chair hears none and, without objection, appoints the following conferees:

From the Permanent Select Committee on Intelligence for consideration of the House bill and the Senate amendment, and modifications committed to conference:

Messrs. GOSS, LEWIS of California, MCCOLLUM, CASTLE, BOEHLERT, BASS, GIBBONS, and LAHOOD, Mrs. WILSON, Mr. DIXON, Ms. PELOSI, and Messrs. BISHOP, SISISKY, CONDIT, ROEMER, and HASTINGS of Florida.

From the Committee on Armed Services for consideration of defense tactical intelligence and related activities:

Messrs. SPENCE, STUMP, and SKELTON.

There was no objection.

#### SPECIAL ORDERS

The SPEAKER pro tempore (Mr. OSE). Under the Speaker's announced policy of January 6, 1999, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore (Mr. OSE). Under a previous order of the House, the gentleman from Pennsylvania (Mr. GEKAS) is recognized for 5 minutes.

(Mr. GEKAS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. BROWN) is recognized for 5 minutes.

(Mr. BROWN of Ohio addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. METCALF) is recognized for 5 minutes.

(Mr. METCALF addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Missouri (Mr. CLAY) is recognized for 5 minutes.

(Mr. CLAY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. SMITH) is recognized for 5 minutes.

(Mr. SMITH of Michigan addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

(Mr. PALLONE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Tennessee (Mr. DUNCAN) is recognized for 5 minutes.

(Mr. DUNCAN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)