

reference contained in the current language of the section and adds the words "levy, attachment," to make clearer the types of creditor actions being limited.

## TITLE II

Title II provides for a National Leadership Symposium for American Indian, Alaska Native, and Native Hawaiian youth to be comprised of youth seminar programs which study the workings and practice of American national government in Washington, D.C. We encourage the development of such a program. However, the bill as written is not clear as to the source of funds, the Federal agency designated to receive the funds, the basis for the amount for the project or the choice of organizations to lead it. Nor is it clear who, if anyone, on behalf of the Federal government would provide any financial oversight or program guidance for the program. We recommend that these issues be clarified.

The Office of Management and Budget advises that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely,

JOHN BERRY,  
Assistant Secretary.

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

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

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

Mr. FALEOMAVAEGA. Mr. Speaker, I rise in strong support of H.R. 4345, this proposed piece of legislation sponsored by the gentleman from Alaska (Mr. YOUNG), my good friend and the chairman of the House Committee on Resources.

As introduced, H.R. 4345 contains a number of controversial provisions which were objectionable to the administration originally. However, I am pleased to say that the bill before us now has been significantly amended and is no longer opposed by the Department of the Interior.

Mr. Speaker, the most notable provision of this bill concerns the Native Alaskan veterans who served in the Vietnam conflict. This legislation is intended to benefit the families of Native Alaskans who served in Southeast Asia between 1964 and 1971 and who died as a direct result of their military service.

Under this bill, the descendants of these Native Alaskan veterans would be allowed a new opportunity to file under the Allotment Act of 1906 for up to 160 acres of parcels of land which the family traditionally used and occupied.

The Allotment Act of 1906 was repealed by the Alaska Native Claims Act in 1971, which was intended to resolve the Native land claims against the United States. That historic act conveyed over 40 million acres of land and approximately \$1 billion dollars in compensation to be managed by over 200 Native Alaskan corporations, representing the villages and regions of the State of Alaska.

It is fair to say, Mr. Speaker, that the minority on the Committee on Resources on this side has not always

shared the enthusiasm of our chairman for reopening the land claims and making significant amendments to the 1971 Alaska Native Claims Settlement Act. We tend to give greater emphasis to the word "settlement" in that act.

However, Mr. Speaker, in this instance, the allotment act language reflects a compromise struck after negotiations between the Department of the Interior and the Alaskan Federation of Natives.

A rider on the fiscal year 1999 VA-HUD appropriations bill reopened applications for Native veterans who served in the 3-year period prior to the repeal of the allotment act in 1971. Since the Department of the Interior has already opened that door, extending the same opportunity to the families of Native veterans who were killed in action is a matter of understandable equity. It is troublesome, however, that the Department cannot tell us how many new applications would be generated by this bill, nor can they give us any clear notion of the potential impacts on public land in Alaska.

However, by allowing this bill to proceed, it is our intent that this action is final and that there will be no further extensions of land claims under an act that was passed by Congress at the turn of the century and repealed 3 decades ago. It is my understanding that the Department of the Interior shares this view as well.

In summary, Mr. Speaker, let me take what may be one of our last opportunities in this Congress to give credit to the gentleman from Alaska (Mr. YOUNG), the chairman of our House Committee on Resources, who has served as chairman of the committee for the past 6 years. The chairman is a forceful advocate for his Alaska Native constituents, and it is due to his commitment that this bill is before us today.

Mr. Speaker, I want to commend the gentleman from Alaska, chairman of the committee, for his leadership and also his willingness to assist with issues affecting our insular areas. And above all, Mr. Speaker, this Member appreciates very much the genuine friendship of the gentleman from Alaska (Chairman YOUNG) with those of us who represent the territories.

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

Mr. FALEOMAVAEGA. Mr. Speaker, I have no additional speakers, so I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the bill, H.R. 4345, as amended.

The question was taken.

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

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further

proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

## LAKE TAHOE BASIN LAND CONVEYANCE

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4656) to authorize the Forest Service to convey certain lands in the Lake Tahoe Basin to the Washoe County School District for use as an elementary school site.

The Clerk read as follows:

H.R. 4656

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

## SECTION 1. CONVEYANCE OF CERTAIN FOREST SERVICE LAND IN THE LAKE TAHOE BASIN.

(a) CONVEYANCE.—Upon application, the Secretary of Agriculture, acting through the Chief of the Forest Service, may convey to the Washoe County School District all right, title, and interest of the United States in the property described as a portion of the Northwest quarter of Section 15, Township 16 North, Range 18 East, M.D.B. & M., more particularly described as Parcel 1 of Parcel Map No. 426 for Boise Cascade, filed in the office of the Washoe County Recorder, State of Nevada, on May 19, 1977, as file No. 465601, Official Records.

(b) REVIEW OF APPLICATION.—When the Secretary receives an application to convey the property under subsection (a), the Secretary shall make a final determination whether or not to convey such property before the end of the 180-day period beginning on the date of the receipt of the application.

(c) USE; REVERSION.—The conveyance of the property under subsection (a) shall be for the sole purpose of the construction of an elementary school on the property. The property conveyed shall revert to the United States if the property is used for a purpose other than as an elementary school site.

(d) CONSIDERATION BASED ON REQUIREMENT TO USE FOR LIMITED PUBLIC PURPOSES.—The Secretary shall determine the amount of any consideration required for the conveyance of property under this section based on the fair market value of the property when it is subject to the restriction on use under subsection (c).

(e) PROCEEDS.—The proceeds from the conveyance of the property under subsection (a) shall be available to the Secretary without further appropriation and shall remain available until expended for the purpose of acquiring environmentally sensitive land in the Lake Tahoe Basin pursuant to section 3 of the Act entitled "An Act to provide for the orderly disposal of certain Federal lands in Nevada and for the acquisition of certain other lands in the Lake Tahoe Basin, and for other purposes", approved December 23, 1980 (94 Stat. 3381; commonly known as the "Santini-Burton Act").

(f) APPLICABLE LAW.—Except as otherwise provided in this section, any sale of National Forest System land under this section shall be subject to the laws (including regulations) applicable to the conveyance of National Forest System lands.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. HANSEN) and the gentleman from American Samoa (Mr. FALEOMAVAEGA) each will control 20 minutes.

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

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

Mr. Speaker, H.R. 4656 was introduced by my colleague, the gentleman from Nevada (Mr. GIBBONS). This legislation would convey a little over 8 small acres of Forest Service land to the Washoe County School District in Nevada located in the Lake Tahoe Basin for fair market value.

This bill passed full committee by voice vote on September 13 of this year. I would urge all Members to support passage of this excellent piece of legislation today.

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

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

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

Mr. FALEOMAVAEGA. Mr. Speaker, I certainly want to thank my good friend, the gentleman from Utah (Mr. HANSEN), chairman of our Subcommittee on National Parks and Public Lands, and the chief sponsor of this legislation, the gentleman from Nevada (Mr. GIBBONS).

However, this evening, Mr. Speaker, with tremendous reluctance and despite my respect for my good friend from Nevada, I have to rise in opposition to H.R. 4656.

This bill authorizes the Forest Service to convey for fair market value an approximately 8.7 acre parcel on the Tahoe National Forest in Washoe County School District for use as an elementary school site.

Although the parcel is valued between \$2 million and \$4 million, a deed restriction directing use as a school site and a reversionary clause reduces the value considerably.

The administration testified that the appraisal value would be reduced by approximately 75 percent. The parcel to be conveyed was originally acquired by the Forest Service in 1981 as an environmentally sensitive property under the Santini-Burton Act for approximately \$500,000. This land, as other land around Lake Tahoe, has appreciated considerably in the last 20 years. Sound fiscal policy dictates that the public should receive full value for its public assets.

In this case, getting fair compensation is particularly critical because the taxpayers purchased the land under a Federal program to buy environmentally sensitive land around Lake Tahoe and because the proceeds of the sale would be used to purchase additional environmentally sensitive land in the Lake Tahoe area.

Hence to offset the fiscal and environmental loss of this sensitive property, the Federal Government should get its full value.

Mr. Speaker, this bill also undermines the intent of the Santini-Burton Act. While the act allows transfers of

land in interest to State and local governments, the deed restrictions must protect the environmental quality and public recreational purposes of the land.

Legislation is needed in this instance because this conveyance does not fall within the parameters of the act. Unlike other sites conveyed for less than fair market value with reversionary clauses, this land was not public domain or surplus land. Rather, this land was specifically purchased for its environmental value and is integral to the land-use planning scheme surrounding Lake Tahoe. This bill deprives the public of what is owed as well as the ability to offset the loss of this environmentally sensitive property with the purchase of comparable property.

I urge my colleagues not to accept this legislation.

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

Mr. HANSEN. Mr. Speaker, I am happy to yield such time as he may consume to the gentleman from Nevada (Mr. GIBBONS), the author of this legislation.

Mr. GIBBONS. Mr. Speaker, I would like to thank my colleague and friend from Utah (Mr. HANSEN) for allowing me the time to speak here today.

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Before, Mr. Speaker, I approach and answer the questions and issues of my colleague from American Samoa, I want to thank the gentleman from Alaska (Mr. YOUNG) for his leadership on this important bill which seeks to provide the children of Incline Village, Nevada with the sound footing for a quality education.

Mr. Speaker, H.R. 4656 authorizes the U.S. Forest Service to convey 8.7 acres of land in Washoe County, Nevada at fair market value for the limited use as an elementary school. It also requires the proceeds from the sale to be used to purchase environmentally sensitive land in the Lake Tahoe Basin in the future. H.R. 4656 is the product of a great deal of hard work, and I believe it strikes a balance that will benefit all parties involved.

The present Incline Village elementary school, constructed in 1964, can no longer meet the needs of an increasing student population. The overcrowding problems have become so severe that the school must now place up to 40 children in one classroom because there is simply not enough space to accommodate them all. The school district has considered every possible remedy to this problem, including looking at other land within the basin, and the best solution is H.R. 4656.

Expanding beyond the school's current design is physically impossible, as is rezoning the district to bus school children to another school district since the road to the next closest school is closed half the year due to snow. The only solution is a new school and the only suitable land to provide the students of Incline Village with a

proper facility is the land to be conveyed in this bill.

Purchased by the U.S. Government under the Burton-Santini Act, this land currently has no market value since under Burton-Santini it cannot be developed without an act of Congress. Certainly the commercial use of the land would garner a much more attractive profit for the Federal Government, but the environmental sensitivity of the land would undoubtedly be threatened. However, under H.R. 4656, the intent of the Burton-Santini Act to protect the land's environmental sensitivity would be maintained. The school will not jeopardize the sensitivity of the seasonal stream that runs through the land. The school district will install water filtration systems and incorporate the sensitive elements of the site into existing education programs on water quality for the students.

Therefore, Mr. Speaker, the use restrictions of my bill will succeed in protecting the environment and ensuring that the Federal Government receives compensation for the land. The land will not be conveyed for free but at an affordable price for the school district. This bill is truly a win-win for everyone involved.

Finally, Mr. Speaker, this bill is not really about the land conveyance. This is about educating children. All children deserve safe and quality school facilities. The passage of H.R. 4656 will extend this opportunity to the students of Incline Village.

Mr. Speaker, let me also add that if this bill is not passed, there may actually be that child who has to stand up because there will not be room for his or her desk in the school district because there are 400 students now expected to be in this school. If you combine those students, most of which are ESL, more than 50 percent of the student population is ESL students, they will be pushed into an ever decreasing smaller and smaller environment.

This bill, if it is not passed, there will not be that new school for them and no place for these students to learn. We all realize, I hope, how important it is to the future of our children and to the future of our Nation to have well-educated children. It is my hope that no one in this Chamber will deny the young children of Incline Village, Nevada the opportunity to learn how to read, how to write or how to add and subtract in a suitable facility that can promote education, not inhibit it.

Mr. Speaker, we are asking only for 8.7 acres purchased at fair market value with a school restriction by the Washoe County school district for the purpose of an elementary school. The purpose of this bill is to provide the children in this area with an adequate, suitable place to get an education.

Mr. FALEOMAVAEGA. Mr. Speaker, I yield myself such time as I may consume. I was looking at the clock and looking at some 11 hours, that I had sincerely hoped that the staff members

on the majority side and our side would at least have had this occasion for this whole day passing, if there is some way we can negotiate in good faith and some way to find a solution to prevent this kind of a deadlock. And now we bring ourselves here to the floor with this kind of a situation that I feel very, very bad about. I sincerely wish there could have been some other way of resolving this issue. Now that we are before the floor and reluctantly and with tremendous respect that I have for my good friend from Nevada, I had just hoped that we would have resolved this issue in some way or somehow, but somehow this matter has not been resolved.

As I said, with tremendous reluctance, I have to respectfully oppose this piece of legislation.

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

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

Mr. GIBBONS. Mr. Speaker, to my great friend from American Samoa, I want to say that this land of 8.7 acres is squeezed in between condominium developments and a Safeway shopping center right in front of it. This is not the pristine type of ground that one normally envisions when we talk about environmentally sensitive lands with great vistas looking out over Lake Tahoe. The fact is that this land is going to be better off being utilized as a school because the environmental sensitivities will be taken into consideration by the school in its development plan. It will actually enhance the environmental sensitivity of the land as well.

Let me also say that the League to Save Lake Tahoe, the well-known, well-respected environmental group that looks after much of the Lake Tahoe area does not oppose this bill. This is a critical piece of legislation for the students of Nevada. There have been many attempts on the other side to have legislation passed which also sets a precedent. I know my friends on the other side of the aisle have often-times passed legislation which will convey land for free for educational purposes, such as the San Juan College Act passed, that is H.R. 695 of our good friend and colleague the gentleman from New Mexico (Mr. UDALL). It conveyed land for educational purposes with a restriction in it as well. We also have an opportunity to look at other pieces of legislation which the other side has passed which would convey for even free, without the cost to the United States, land for educational purposes for the Lewis and Clark National Historic Interpretive Center. That passed 355-0 and was signed into law last year.

Mr. Speaker, there are other opportunities. H.R. 2737 of the gentleman from Illinois (Mr. COSTELLO) that was going to convey 39 acres of government land for free to the State of Illinois. We talked about that one. As I am saying,

even H.R. 2890 which many of my friends and colleagues on the other side of the aisle support, transfers the land of Vieques Island that is currently used as an artillery bombing range to Puerto Rico at no cost. Now, here is thousands upon thousands and thousands of acres that belong to the Federal Government that are supported in being transferred to a State agency for that matter without a cost to the Federal Government in giving up that. So it is not an issue here today. We are talking about 8.7 acres. It is not an issue of fair market value. We are talking about getting an education for 400 children.

Without this, Mr. Speaker, without this land, without being able to construct this new school, 400 children are going to be forced into classrooms or denied an education, and 400 children, I do not think, want to be subject of standing in their classroom without so much as room for their desk in order to get that education. We have to pass this bill. It is now, it is critical, and time is of the essence for this bill.

I once again thank my friends and colleagues for their support and hope everyone will support this piece of legislation.

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

I congratulate my friend from Nevada for his excellent presentation. I would like to point out that in my 20 years on the Committee on Resources, we have done this many, many times. Education in this year is one of the big things we are all looking at. I hope it does not become a partisan issue. We are trying to educate some kids. I could give example after example of my many years on this committee where we have done exactly that, to give some acreage so we can expand a school, so we can help some children out. The backbone of this country is educating our children. I commend the gentleman from Nevada for his excellent presentation.

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

The SPEAKER pro tempore (Mr. RYAN of Wisconsin). The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the bill, H.R. 4656.

The question was taken.

Mr. FALEOMAVAEGA. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

#### PROVIDING FOR CONCURRENCE BY HOUSE WITH AMENDMENT IN SENATE AMENDMENT TO H.R. 150, EDUCATION LAND GRANT ACT

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 621) providing for the

concurrence by the House with an amendment in the Senate amendment to H.R. 150.

The Clerk read as follows:

H. RES. 621

*Resolved*, That upon the adoption of this resolution the House shall be considered to have taken from the Speaker's table the bill H.R. 150, with the Senate amendment thereto, and to have concurred in the Senate amendment with the following amendment:

In lieu of the matter proposed to be inserted by the amendment of the Senate, insert the following:

#### SECTION. 1. SHORT TITLE.

This Act may be cited as the "Education Land Grant Act".

#### SEC. 2. CONVEYANCE OF NATIONAL FOREST SYSTEM LANDS FOR EDUCATIONAL PURPOSES.

(a) **AUTHORITY TO CONVEY.**—Upon application, the Secretary of Agriculture may convey National Forest System lands for use for educational purposes if the Secretary determines that—

(1) the entity seeking the conveyance will use the conveyed land for a public or publicly funded elementary or secondary school, to provide grounds or facilities related to such a school, or for both purposes;

(2) the conveyance will serve the public interest;

(3) the land to be conveyed is not otherwise needed for the purposes of the National Forest System; and

(4) the total acreage to be conveyed does not exceed the amount reasonably necessary for the proposed use.

(b) **ACREAGE LIMITATION.**—A conveyance under this section may not exceed 80 acres. However, this limitation shall not be construed to preclude an entity from submitting a subsequent application under this section for an additional land conveyance if the entity can demonstrate to the Secretary a need for additional land.

(c) **COSTS AND MINERAL RIGHTS.**—A conveyance under this section shall be for a nominal cost. The conveyance may not include the transfer of mineral rights.

(d) **REVIEW OF APPLICATIONS.**—When the Secretary receives an application under this section, the Secretary shall—

(1) before the end of the 14-day period beginning on the date of the receipt of the application, provide notice of that receipt to the applicant; and

(2) before the end of the 120-day period beginning on that date—

(A) make a final determination whether or not to convey land pursuant to the application, and notify the applicant of that determination; or

(B) submit written notice to the applicant containing the reasons why a final determination has not been made.

(e) **REVERSIONARY INTEREST.**—If at any time after lands are conveyed pursuant to this section, the entity to whom the lands were conveyed attempts to transfer title to or control over the lands to another or the lands are devoted to a use other than the use for which the lands were conveyed, without the consent of the Secretary, title to the lands shall revert to the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. HANSEN) and the gentleman from American Samoa (Mr. FALEOMAVAEGA) each will control 20 minutes.

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

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