

I request that you include a copy of our exchange of letters in the CONGRESSIONAL RECORD during consideration on the House Floor. Thank you.

Sincerely,

DON YOUNG,  
Chairman.

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

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

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

Mr. RAHALL. Mr. Speaker, this is legislation that was introduced by the gentleman from Texas (Mr. DOGGETT). I want to commend him for this very worthy piece of legislation and his persistence and dedication to helping provide his people high-quality water supplies.

Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, I thank the gentleman from West Virginia for his help on this legislation, and I thank the gentleman from Utah (Mr. HANSEN), the chairman of the committee, as well as the gentleman from California (Mr. CALVERT), the subcommittee chairman who was very helpful to us during the subcommittee proceedings on this legislation, which has now been appended to some legislation of the gentleman from California (Mr. CALVERT).

Mr. Speaker, I would also want to recognize the contribution of Mayor Gus Garcia of Austin. He ably presented the city's case for this legislation in his first testimony before the Congress as our mayor.

After witnessing the catastrophic floods that struck central Texas earlier this year, many people may wonder why we need to conserve water. But, in fact, though we have some mighty powerful rivers, we also have a mighty thirsty State. Austin is a city that has been blessed with many resources. We believe that by conserving these resources in part through this bill that we will have an ample water supply in the future. This legislation will enable the city of Austin, with the assistance of the Bureau of Reclamation, to conserve our water supply through planning and development of a project to reclaim and reuse treated wastewater. The initiative will reduce demand on Austin's water supply and conserve water for human consumption. It is estimated that the project can save as much as 9 billion gallons of water each year.

Austin is already a recognized leader in water resource planning, and with this Federal legislative backup, our community can further address water conservation and sustainable development.

The growth of the city of Austin has been tremendous in the last decade and has presented us with challenges, one of which is planning for our water needs. This legislation will help assure that. The water reclamation project

will provide assistance to beneficiaries as diverse as the city itself, from municipal parks to schools to industrial facilities. Indeed, our high-tech manufacturing plants are major water consumers and with this legislation they are assured not only greater water availability, but water at a lesser cost, which is very important to them.

Mr. Speaker, I believe it was Ben Franklin who said, "When the well is dry, we know the worth of water." Fortunately, there is no danger of the Colorado River running dry, but there are many demands on water rights from that river, and it is well that through this legislation we move forward progressively, working with the Federal Government and the Bureau of Reclamation to assure that we have our water needs met in the future.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the bill, H.R. 5460, as amended.

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

A motion to reconsider was laid on the table.

#### CEDAR CREEK AND BELLE GROVE NATIONAL HISTORICAL PARK ACT

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4944) to designate the Cedar Creek Battlefield and Belle Grove Plantation National Historical Park as a unit of the National Park System, and for other purposes, as amended.

The Clerk read as follows:

H.R. 4944

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Cedar Creek and Belle Grove National Historical Park Act".

#### SEC. 2. PURPOSE.

The purpose of this Act is to establish the Cedar Creek and Belle Grove National Historical Park in order to—

(1) help preserve, protect, and interpret a nationally significant Civil War landscape and antebellum plantation for the education, inspiration, and benefit of present and future generations;

(2) tell the rich story of Shenandoah Valley history from early settlement through the Civil War and beyond, and the Battle of Cedar Creek and its significance in the conduct of the war in the Shenandoah Valley;

(3) preserve the significant historic, natural, cultural, military, and scenic resources found in the Cedar Creek Battlefield and Belle Grove Plantation areas through partnerships with local landowners and the community; and

(4) serve as a focal point to recognize and interpret important events and geographic locations within the Shenandoah Valley Bat-

tlefields National Historic District representing key Civil War battles in the Shenandoah Valley, including those battlefields associated with the Thomas J. (Stonewall) Jackson campaign of 1862 and the decisive campaigns of 1864.

#### SEC. 3. FINDINGS.

Congress finds the following:

(1) The Battle of Cedar Creek, also known as the battle of Belle Grove, was a major event of the Civil War and the history of this country. It represented the end of the Civil War's Shenandoah Valley campaign of 1864 and contributed to the reelection of President Abraham Lincoln and the eventual outcome of the war.

(2) 2,500 acres of the Cedar Creek Battlefield and Belle Grove Plantation were designated a national historic landmark in 1969 because of their ability to illustrate and interpret important eras and events in the history of the United States. The Cedar Creek Battlefield, Belle Grove Manor House, the Heater House, and Harmony Hall (a National Historic Landmark) are also listed on the Virginia Landmarks Register.

(3) The Secretary of the Interior has approved the Shenandoah Valley Battlefields National Historic District Management Plan and the National Park Service Special Resource Study, both of which recognized Cedar Creek Battlefield as the most significant Civil War resource within the historic district. The management plan, which was developed with extensive public participation over a 3-year period and is administered by the Shenandoah Valley Battlefields Foundation, recommends that Cedar Creek Battlefield be established as a new unit of the National Park System.

(4) The Cedar Creek Battlefield Foundation, organized in 1988 to preserve and interpret the Cedar Creek Battlefield and the 1864 Valley Campaign, has acquired 308 acres of land within the boundaries of the National Historic Landmark. The foundation annually hosts a major reenactment and living history event on the Cedar Creek Battlefield.

(5) Belle Grove Plantation is a Historic Site of the National Trust for Historic Preservation that occupies 383 acres within the National Historic Landmark. The Belle Grove Manor House was built by Isaac Hite, a Revolutionary War patriot married to the sister of President James Madison, who was a frequent visitor at Belle Grove. President Thomas Jefferson assisted with the design of the house. During the Civil War Belle Grove was at the center of the decisive battle of Cedar Creek. Belle Grove is managed locally by Belle Grove, Incorporated, and has been open to the public since 1967. The house has remained virtually unchanged since it was built in 1797, offering visitors an experience of the life and times of the people who lived there in the 18th and 19th centuries.

(6) The panoramic views of the mountains, natural areas, and waterways provide visitors with an inspiring setting of great natural beauty. The historic, natural, cultural, military, and scenic resources found in the Cedar Creek Battlefield and Belle Grove Plantation areas are nationally and regionally significant.

(7) The existing, independent, not-for-profit organizations dedicated to the protection and interpretation of the resources described above provide the foundation for public-private partnerships to further the success of protecting, preserving, and interpreting these resources.

(8) None of these resources, sites, or stories of the Shenandoah Valley are protected by or interpreted within the National Park System.

#### SEC. 4. DEFINITIONS.

In this Act:

(1) COMMISSION.—The term “Commission” means the Cedar Creek and Belle Grove National Historical Park Advisory Commission established by section 9.

(2) MAP.—The term “Map” means the map entitled “Boundary Map Cedar Creek and Belle Grove National Historical Park”, numbered CEBE-80,001, and dated September 2002.

(3) PARK.—The term “Park” means the Cedar Creek and Belle Grove National Historical Park established under section 5 and depicted on the Map.

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

#### SEC. 5. ESTABLISHMENT OF CEDAR CREEK AND BELLE GROVE NATIONAL HISTORICAL PARK.

(a) ESTABLISHMENT.—There is established the Cedar Creek and Belle Grove National Historical Park, consisting of approximately 3,000 acres, as generally depicted on the Map.

(b) AVAILABILITY OF MAP.—The Map shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior.

#### SEC. 6. ACQUISITION OF PROPERTY.

(a) REAL PROPERTY.—The Secretary may acquire land or interests in land within the boundaries of the Park, from willing sellers only, by donation, purchase with donated or appropriated funds, or exchange.

(b) BOUNDARY REVISION.—After acquiring land for the Park, the Secretary shall—

(1) revise the boundary of the Park to include newly acquired land within the boundary; and

(2) administer newly acquired land subject to applicable laws (including regulations).

(c) PERSONAL PROPERTY.—The Secretary may acquire personal property associated with, and appropriate for, interpretation of the Park.

(d) CONSERVATION EASEMENTS AND COVENANTS.—The Secretary is authorized to acquire conservation easements and enter into covenants regarding lands in or adjacent to the Park from willing sellers only. Such conservation easements and covenants shall have the effect of protecting the scenic, natural, and historic resources on adjacent lands and preserving the natural or historic setting of the Park when viewed from within or outside the Park.

(e) SUPPORT FACILITIES.—The National Park Service is authorized to acquire from willing sellers, land outside the Park boundary but in close proximity to the Park, for the development of visitor, administrative, museum, curatorial, and maintenance facilities.

#### SEC. 7. ADMINISTRATION.

The Secretary shall administer the Park in accordance with this Act and the provisions of law generally applicable to units of the National Park System, including—

(1) the Act entitled “An Act to establish a National Park Service, and for other purposes”, approved August 25, 1916 (16 U.S.C. 1 et seq.); and

(2) the Act entitled “An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes”, approved August 21, 1935 (16 U.S.C. 461 et seq.).

#### SEC. 8. MANAGEMENT OF PARK.

(a) MANAGEMENT PLAN.—The Secretary, in consultation with the Commission, shall prepare a management plan for the Park. In particular, the management plan shall contain provisions to address the needs of owners of non-Federal land, including independent nonprofit organizations within the boundaries of the Park.

(b) SUBMISSION OF PLAN TO CONGRESS.—Not later than 3 years after the date of the enact-

ment of this Act, the Secretary shall submit the management plan for the Park to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

#### SEC. 9. CEDAR CREEK AND BELLE GROVE NATIONAL HISTORICAL PARK ADVISORY COMMISSION.

(a) ESTABLISHMENT.—There is established the Cedar Creek and Belle Grove National Historical Park Advisory Commission.

(b) DUTIES.—The Commission shall—

(1) advise the Secretary in the preparation and implementation of a general management plan described in section 8; and

(2) advise the Secretary with respect to the identification of sites of significance outside the Park boundary deemed necessary to fulfill the purposes of this Act.

(c) MEMBERSHIP.—

(1) COMPOSITION.—The Commission shall be composed of 15 members appointed by the Secretary so as to include the following:

(A) 1 representative from the Commonwealth of Virginia.

(B) 1 representative each from the local governments of Strasburg, Middletown, Frederick County, Shenandoah County, and Warren County.

(C) 2 representatives of private landowners within the Park.

(D) 1 representative from a citizen interest group.

(E) 1 representative from the Cedar Creek Battlefield Foundation.

(F) 1 representative from Belle Grove, Incorporated.

(G) 1 representative from the National Trust for Historic Preservation.

(H) 1 representative from the Shenandoah Valley Battlefields Foundation.

(I) 1 ex-officio representative from the National Park Service.

(J) 1 ex-officio representative from the United States Forest Service.

(2) CHAIRPERSON.—The Chairperson of the Commission shall be elected by the members to serve a term of one year renewable for one additional year.

(3) VACANCIES.—A vacancy on the Commission shall be filled in the same manner in which the original appointment was made.

(4) TERMS OF SERVICE.—

(A) IN GENERAL.—Each member shall be appointed for a term of 3 years and may be reappointed for not more than 2 successive terms.

(B) INITIAL MEMBERS.—Of the members first appointed under paragraph (1), the Secretary shall appoint—

(i) 4 members for a term of 1 year;

(ii) 5 members for a term of 2 years; and

(iii) 6 members for a term of 3 years.

(5) EXTENDED SERVICE.—A member may serve after the expiration of that member's term until a successor has taken office.

(6) MAJORITY RULE.—The Commission shall act and advise by affirmative vote of a majority of its members.

(7) MEETINGS.—The Commission shall meet at least quarterly at the call of the chairperson or a majority of the members of the Commission.

(8) QUORUM.—8 members shall constitute a quorum.

(d) COMPENSATION.—Members shall serve without pay. Members who are full-time officers or employees of the United States, the Commonwealth of Virginia, or any political subdivision thereof shall receive no additional pay on account of their service on the Commission.

(e) TRAVEL EXPENSES.—While away from their homes or regular places of business in the performance of service for the Commission, members shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons em-

ployed intermittently in the Government service are allowed expenses under section 5703 of title 5, United States Code.

(f) HEARINGS; PUBLIC INVOLVEMENT.—The Commission may, for purposes of carrying out this Act, hold such hearings, sit and act at such times and places, take such public testimony, and receive such evidence, as the Commission considers appropriate. The Commission may not issue subpoenas or exercise any subpoena authority.

#### SEC. 10. CONSERVATION OF CEDAR CREEK AND BELLE GROVE NATIONAL HISTORICAL PARK.

(a) ENCOURAGEMENT OF CONSERVATION.—The Secretary and the Commission shall encourage conservation of the historic and natural resources within and in proximity of the Park by landowners, local governments, organizations, and businesses.

(b) PROVISION OF TECHNICAL ASSISTANCE.—The Secretary may provide technical assistance to local governments, in cooperative efforts which complement the values of the Park.

(c) COOPERATION BY FEDERAL AGENCIES.—Any Federal entity conducting or supporting activities directly affecting the Park shall consult, cooperate, and, to the maximum extent practicable, coordinate its activities with the Secretary in a manner that—

(1) is consistent with the purposes of this Act and the standards and criteria established pursuant to the general management plan developed pursuant to section 8;

(2) is not likely to have an adverse effect on the resources of the Park; and

(3) is likely to provide for full public participation in order to consider the views of all interested parties.

#### SEC. 11. ENDOWMENT.

(a) IN GENERAL.—In accordance with the provisions of subsection (b), the Secretary is authorized to receive and expend funds from an endowment to be established with the National Park Foundation, or its successors and assigns.

(b) CONDITIONS.—Funds from the endowment referred to in subsection (a) shall be expended exclusively as the Secretary, in consultation with the Commission, may designate for the interpretation, preservation, and maintenance of the Park resources and public access areas. No expenditure shall be made pursuant to this section unless the Secretary determines that such expenditure is consistent with the purposes of this Act.

#### SEC. 12. COOPERATIVE AGREEMENTS.

(a) IN GENERAL.—In order to further the purposes of this Act, the Secretary is authorized to enter into cooperative agreements with interested public and private entities and individuals (including the National Trust for Historic Preservation, Belle Grove, Inc., the Cedar Creek Battlefield Foundation, the Shenandoah Valley Battlefields Foundation, and the Counties of Frederick, Shenandoah, and Warren), through technical and financial assistance, including encouraging the conservation of historic and natural resources of the Park.

(b) TECHNICAL AND FINANCIAL ASSISTANCE.—The Secretary may provide to any person, organization, or governmental entity technical and financial assistance for the purposes of this Act, including the following:

(1) Preserving historic structures within the Park.

(2) Maintaining the natural or cultural landscape of the Park.

(3) Local preservation planning, interpretation, and management of public visitation for the Park.

(4) Furthering the goals of the Shenandoah Valley Battlefields Foundation related to the Park.

**SEC. 13. ROLES OF KEY PARTNER ORGANIZATIONS.**

(a) IN GENERAL.—In recognition that central portions of the Park are presently owned and operated for the benefit of the public by key partner organizations, the Secretary shall acknowledge and support the continued participation of these partner organizations in the management of the Park.

(b) PARK PARTNERS.—Roles of the current key partners include the following:

(1) CEDAR CREEK BATTLEFIELD FOUNDATION.—The Cedar Creek Battlefield Foundation may—

(A) continue to own, operate, and manage the lands acquired by the Foundation within the Park;

(B) continue to conduct reenactments and other events within the Park; and

(C) transfer ownership interest in portions of their land to the National Park Service by donation, sale, or other means that meet the legal requirements of National Park Service land acquisitions.

(2) NATIONAL TRUST FOR HISTORIC PRESERVATION AND BELLE GROVE INCORPORATED.—The National Trust for Historic Preservation and Belle Grove Incorporated may continue to own, operate, and manage Belle Grove Plantation and its structures and grounds within the Park boundary. Belle Grove Incorporated may continue to own the house and grounds known as Bowman's Fort or Harmony Hall for the purpose of permanent preservation, with a long-term goal of opening the property to the public.

(3) SHENANDOAH COUNTY.—Shenandoah County may continue to own, operate, and manage the Keister park site within the Park for the benefit of the public.

(4) PARK COMMUNITY PARTNERS.—The Secretary shall cooperate with the Park's adjacent historic towns of Strasburg and Middletown, Virginia, as well as Frederick, Shenandoah, and Warren counties in furthering the purposes of the Park.

(5) SHENANDOAH VALLEY BATTLEFIELDS FOUNDATION.—The Shenandoah Valley Battlefields Foundation may continue to administer and manage the Shenandoah Valley Battlefields National Historic District in partnership with the National Park Service and in accordance with the Management Plan for the District in which the Park is located.

**SEC. 14. AUTHORIZATION OF APPROPRIATIONS.**

There is authorized to be appropriated such sums as are necessary to carry out this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. HANSEN) and the gentleman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

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

Mr. HANSEN. Mr. Speaker, I yield such time as he may consume to the gentleman from Virginia (Mr. WOLF), the author of the bill.

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

Mr. WOLF. Mr. Speaker, I rise in support of H.R. 4944, a bill to create the Cedar Creek and Belle Grove National Historical Park. I want to personally thank my good friend, the gentleman from Utah (Mr. HANSEN), for moving this bill so much. I really want to thank him.

I also want to acknowledge our former colleague, French Slaughter,

who has passed away, for creating this idea. I want to acknowledge the gentleman in the chair, Mr. GOODLATTE, who has been such a help.

Mr. Speaker, I rise in support of H.R. 4944, a bill to create the "Cedar Creek and Belle Grove National Historical Park."

I want to thank Chairman HANSEN and the Resources Committee staff for their valuable assistance in moving this bill.

I also want to recognize the efforts of one of our former colleagues: the late D. French Slaughter who served in the House from 1985 until 1991. He help lay the ground work for the creation of this park.

This legislation is the result of the tireless work of a number of people and organizations, including the National Park Service, local elected officials and landowners in the Shenandoah Valley, and prominent historians and preservationists.

An outgrowth of the efforts of the Shenandoah Valley Battlefields National Historic District Commission established by Congress in 1996, the park will help preserve and interpret the rich history of the Shenandoah Valley.

In addition to preserving the site of the Civil War Battle of Cedar Creek—it was the last battle of the 1864 Civil War Valley campaign, marking the end of Confederate power in the Valley and its timing just three weeks before the 1864 presidential election also unquestionably influenced the magnitude of President Lincoln's reelection—the park will help tell the story of Native American burial grounds in the region, the influence of German settlers who migrated to the area along the Great Wagon Road and the creation of massive wheat plantations that foreshadowed the Valley's future as the "Breadbasket of the Confederacy."

Historic Belle Grove Plantation also will be within the park's boundaries. It was built by Major Isaac Hite, who served in the Continental Army during the Revolutionary War, and married Nelly Conway Madison, the sister of President James Madison.

Belle Grove is one of the many outstanding mansions of the Shenandoah Valley and like other period houses built in that region, the design shows Thomas Jefferson's influence from the Tidewater and Piedmont areas, and also Classical Revival elements, an architectural innovation of the day.

The park also will help protect the historic scenic landscape of the region which features panoramic views of the Blue Ridge mountains, natural areas and waterways in the northern Shenandoah Valley.

The proposed park boundary includes approximately 3,000 acres at the intersection of Frederick, Shenandoah and Warren counties and is based on the 1969 boundary established for the Cedar Creek and Belle Grove National Historic Landmark.

What makes this park even more special is that it will serve as a model for future national parks because:

It is based on partnerships and local community involvement;

Private organizations, families, and individuals will continue to live and work within its boundaries;

Landowners hold their right to sell their land whenever and to whomever they choose;

No land will be condemned or taken by eminent domain;

The Park Service will only purchase land from willing sellers; and

Finally, land use and zoning decisions within the park's boundaries will continue to be administered by local authorities at the county or municipal levels.

This park will go a long way toward preserving an important part of our Nation's rich heritage and history.

It also has the full support of the local community.

I urge support for H.R. 4944.

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

(Mrs. CHRISTENSEN asked and was given permission to revise and extend her remarks.)

Mrs. CHRISTENSEN. Mr. Speaker the purpose of H.R. 4944 has been explained by the majority and our colleague on the other side. This legislation is a result of a National Park Service study that worked with the local community on developing joint efforts to protect these Civil War resources. We have no objection to its passage.

Mr. GOODLATTE. Mr. Speaker, I would like to thank the gentleman from Utah for yielding. I would also like to thank Congressman WOLF for his vision and leadership in bringing this legislation to the floor. I am pleased to share a bordering district with Mr. WOLF and share part of the Cedar Creek and Belle Grove properties.

I have the distinct honor of representing a significant part of the Shenandoah Valley. The Valley is one of the most diverse and beautiful regions in the country, and is noted for its role in Civil War history—even being referred to by historians as the "breadbasket of the confederacy" for supplying food to soldiers. While my district is dotted with national parks, I would like to see added a new national park—the Cedar Creek Battlefield and Belle Grove Plantation National Historical Park to ensure the preservation of the history surrounding this site.

This park will also serve as a new model for future development of national parks because it is a collaboration of efforts between public and private entities. What is also unique about this park is that all landowners will continue working collectively for the visiting public while continuing to retain the right to sell their land—whenever and to whomever they choose. In addition, the park will work hand-in-hand with the local community because land use and zoning will continue to be administered by local authorities at the county or municipal level.

In addition, there are 9 other Civil War battlefield sites within the Shenandoah Valley that will also benefit from the national involvement in the Shenandoah Valley, while continuing to maintain its rural character and be protected and managed at a local level. Increased visitation to the new park and surrounding battlefields will bring added value and benefits to the local economy and play a significant role in hosting visitors from all over the country.

I would also like to take this time to pay tribute to Mr. Carrington Williams. I am deeply saddened by his recent death. It was an honor to work with Carrington in establishing and securing funds for the Shenandoah Valley Battlefields Commission. He was a true leader in the appreciation and preservation of our nation's Civil War Battlefields and his passion for

protecting American heritage will be sorely missed. From his military service to this great Nation to his public service in the Virginia House of Delegates and his extensive community service, Carrington was a respected civic leader and visionary.

I appreciate the historic value and significance of Cedar Creek and Belle Grove. During my weekly drives through the Valley on my way to D.C. or back home to Roanoke, I am reminded almost every stretch of mile of the historic role the Shenandoah Valley has played during the events of the Civil War. I believe it is important to preserve this battlefield so it will continue to provide a historical lesson and glimpse into our nation's past for future generations.

Mr. Speaker, I urge the adoption of this measure and yield back the remainder of my time.

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

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

□ 1815

The SPEAKER pro tempore (Mr. SHIMKUS). 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. 4944, as amended.

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

The title of the bill was amended so as to read: "A bill to designate the Cedar Creek and Belle Grove National Historical Park as a unit of the National Park System, and for other purposes."

A motion to reconsider was laid on the table.

#### EDUCATION LAND GRANT CONVEYANCE REVIEW COST ACT

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3802) to amend the Education Land Grant Act to require the Secretary of Agriculture to pay the costs of environmental reviews with respect to conveyances under that Act, as amended.

The Clerk read as follows:

H.R. 3802

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

#### SECTION 1. COSTS OF REVIEWS FOR CONVEYANCES UNDER EDUCATION LAND GRANT ACT.

Section 202 of the Education Land Grant Act (16 U.S.C. 479a) is amended by adding at the end the following:

"(f) COSTS OF REVIEW.—The Secretary shall pay the costs of all action required under section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)) with respect to any conveyance under this section."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. HANSEN) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

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

Mr. HANSEN. Mr. Speaker, the bill, H.R. 3802, was introduced by the gentleman from Arizona (Mr. HAYWORTH), and I yield such time as he may consume to the gentleman to explain this legislation.

Mr. HAYWORTH. Mr. Speaker, I thank the gentleman from Utah for yielding me this time. He has done an outstanding job as chairman of the Committee on Resources and we shall miss him very much in that capacity.

Mr. Speaker, the Education Land Grant Act set up a national mechanism to convey small parcels of U.S. Forest Service land to local educational agencies for the purpose of renovation, expansion, or construction of school facilities. Mr. Speaker, the good news is that this bill was signed into law on December 28 of the year 2000.

Here is where the difficulty has arisen, Mr. Speaker. In implementing this law, Forest Service staff have administratively determined that schools that apply for a conveyance under this act would need to pay various administrative costs, analyses, and environmental compliance assessments. In fact, the interim directive that has now finally been distributed states various costs to be borne by the school districts. I quote: "Nominal costs includes the nominal fee of \$10 per acre conveyed, plus all costs directly associated with the project that the Forest Service may incur to evaluate and process at the school district's request to acquire national Forest Service lands under the Education Land Grant Act, such as costs associated with National Environmental Policy Act compliance, document preparations, surveys, posting of property monuments, markers, or posts, and recordation."

In fact, another memo mentioned that even staff time, even staff time used to process requests will need to be paid by school districts.

Mr. Speaker, here we have an example of bureaucrats trying to reinterpret what was very clear in the law. That is why we come to the floor today with H.R. 3802.

This bill simply requires the Forest Service to bear the cost of environmental assessments and administrative costs associated with an exchange under the Education Land Grant Act. The purpose of the act in the first place was to help those cash-strapped districts to make sure their funds were going to help teachers teach and help children learn. Now we have a situation, through bureaucratic extrapolation, where the unelected are trying to reinterpret the will of the Congress.

So, Mr. Speaker, we come here today to speak unequivocally to say that the Congress makes it very clear. Here are the instruments that will be utilized to help these cash-strapped districts realize the benefits of the Education Land Grant Act, and this legislation is the last step toward making school construction and expansion a reality for many rural schools across our country.

So it is in that spirit, Mr. Speaker, that I urge this House to adopt H.R. 3802.

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

(Mrs. CHRISTENSEN asked and was given permission to revise and extend her remarks.)

Mrs. CHRISTENSEN. Mr. Speaker, H.R. 3802 would require the Secretary of Agriculture to pay the costs of environmental reviews conducted pursuant to the Education Land Grant Act. The majority, in the person of the gentleman from Arizona (Mr. HAYWORTH), has very clearly and passionately explained the bill. We have no objection, Mr. Speaker.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the bill, H.R. 3802, as amended.

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

A motion to reconsider was laid on the table.

#### RED ROCK CANYON NATIONAL CONSERVATION AREA PROTECTION AND ENHANCEMENT ACT OF 2002

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4141) to authorize the acquisition by exchange of lands for inclusion in the Red Rock Canyon National Conservation Area, Clark County, Nevada, and for other purposes, as amended.

The Clerk read as follows:

H.R. 4141

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

#### SECTION 1. SHORT TITLE.

*This Act may be cited as the "Red Rock Canyon National Conservation Area Protection and Enhancement Act of 2002".*

#### SEC. 2. DEFINITIONS.

*In this Act, the following definitions apply:*

(1) CORPORATION.—The term "Corporation" means The Howard Hughes Corporation, an affiliate of the Rouse Company, with its principal place of business at 10000 West Charleston Boulevard, Las Vegas, Nevada.

(2) RED ROCK.—The term "Red Rock" means the Red Rock Canyon National Conservation Area, consisting of approximately 195,780 acres of public lands in Clark County, Nevada, specially designated for protection in the Red Rock Canyon National Conservation Area Establishment Act of 1990 (16 U.S.C. 460ccc et seq.), as depicted on the Red Rock Map.

(3) RED ROCK MAP.—The term "Red Rock Map" means the map entitled "H.R. 4141—Boundary Modifications", dated July 1, 2002.

(4) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

#### SEC. 3. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress makes the following findings:

(1) Red Rock is a natural resource of major significance to the people of Nevada and the