

Senators, both of Nevada's Representatives, Clark County, and the city of Las Vegas.

Further, the Southern Nevada Group of the Sierra Club has stated in a communication to the Howard Hughes Corporation that they are not opposed to this bill and that it will be a positive gain for public holdings, which make this bill a bill to celebrate.

The Howard Hughes Corporation deserves praise for its advocacy of an exchange that not only benefits their development interests, but also those of the local public. This sentiment is echoed by longtime southern Nevada environmentalist Jeff van Ea who said, "Never in my history of environmental activism have I seen a developer or corporation that has been more responsive to orderly environmental-conscious development than Howard Hughes Corporation. I often say that they are setting the example for others to follow."

Mr. Speaker, I want to make it clear that this is probably the last time that this proposal will come before this body. If this legislation fails to pass, it is very possible that the Hughes Corporation will choose a course of planning action that would not be as favorable to the multiple environmental interests that have expressed their support. I encourage my colleagues to pass this legislation which blends development and consideration interests into a wise and sensible solution for Red Rock Canyon and the citizens of Nevada.

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, while H.R. 4141 has been explained by the majority, the legislation raises a number of concerns. Land exchanges in Las Vegas have been an ongoing problem. In fact, these land exchanges have been such a problem that in 1998 Congress enacted Public Law 105-263 to basically halt land exchanges in this particular area and, instead, direct that public lands be disposed of by auction with the proceeds earmarked to the acquisition of conservation and recreational lands in Nevada.

Mr. Speaker, H.R. 4141 bypasses that policy and appears to reopen ongoing issues with land exchanges, such as land selection, valuation, and environmental reviews. The lands that are proposed to be exchanged by the bill have been altered several times over the past 2 years. With the high prices being paid for public land sales in Las Vegas, these lands present a significant economic resource.

An amendment was adopted by the Committee on Resources that made a number of changes to alleviate the most serious problems with the bill as introduced. I appreciate the efforts of my colleague, the gentlewoman from Nevada (Ms. BERKLEY), to facilitate these improvements to the bill. It is a better bill today than what was at-

tempted to be passed just 2 months ago.

While the legislation continues to cut corners and avoid the normal review and appraisal requirements of land exchange, we will not object to its passage today. It is our hope that as H.R. 4141 continues through the legislative process, that further improvements can be made to the bill.

Mr. Speaker, I yield such time as she may consume to the gentlewoman from Nevada (Ms. BERKLEY), and I want to thank her for her leadership and her hard work in making this bill the better bill that it is before us today.

Ms. BERKLEY. Mr. Speaker, I would like to thank the gentlewoman from the Virgin Islands for being so sensitive about the needs of my community.

Mr. Speaker, I rise in support of this legislation. I would like to thank the gentleman from Nevada for his work on this bill and the members of the committee on both sides of the aisle for coming up with a compromise that serves the people that I represent very well.

Mr. Speaker, the Red Rock Canyon National Conservation Area is one of our Nation's great treasures. Its spectacular views and exciting trails have provided tremendous enjoyment to the people of Nevada and the United States. Everyone who visits agrees that Red Rock Canyon must be protected in its natural state for future generations to come.

Development in Las Vegas now threatens approximately 1,000 acres of high-ground lands at the eastern edge of Red Rock. This land directly connects to some of the mountains surrounding Red Rock Canyon, making protection of this high-ground acreage an important element of the western Las Vegas Valley view-shed.

While these acres appear to be part of the Red Rock Canyon National Conservation Area, they are actually owned by the Howard Hughes Corporation. We are extremely fortunate that the Howard Hughes Corporation never developed this land. In fact, it is the Howard Hughes Corporation who has volunteered to forgo development of the high-ground lands and proposed that the United States acquire title to the land so that they can be preserved in perpetuity to protect and expand Red Rock.

This bill would accomplish that acquisition. It would transfer the high-ground lands to the United States in exchange for the transfer of other lands of approximately equal value to the corporation. The net effect will be to expand the Red Rock Canyon area.

The bill also contains a provision that will provide Clark County with over 1,000 acres of land for the purpose of developing a nature park. Clark County will construct the trails and the trail heads within this open space with the intent of leaving portions of the Old Mormon/Spanish Trail with the regional trail system.

Mr. Speaker, under this bill, our entire community will benefit. The Federal Government obtains invaluable environmentally-sensitive land, Clark County obtains a nature park that it will care for, and the Howard Hughes Corporation obtains lands that it will be able to develop. As someone that grew up in the southern Nevada area, I cannot emphasize how beautiful this area is and how important this legislation is to protect it. My entire community supports this legislation. Environmental groups, nature lovers, homeowners, and the Howard Hughes Corporation, have been instrumental in our efforts to preserve Red Rock Canyon so that future generations of Nevadans and generations to come, my children and my children's children, and beyond that will all be able to look up and enjoy Red Rock Canyon just as I did as a child.

□ 1830

Mrs. CHRISTENSEN. 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 (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. 4141, 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.

#### CIVIL WAR BATTLEFIELD PRESERVATION ACT OF 2002

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5125) to amend the American Battlefield Protection Act of 1996 to authorize the Secretary of the Interior to establish a battlefield acquisition grant program, as amended.

The Clerk read as follows:

H.R. 5125

*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 "Civil War Battlefield Preservation Act of 2002".*

#### SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds the following:

(1) Civil War battlefields provide a means for the people of the United States to understand a tragic period in the history of the United States.

(2) According to the Report on the Nation's Civil War Battlefields, prepared by the Civil War Sites Advisory Commission, and dated July 1993, of the 384 principal Civil War battlefields—

(A) almost 20 percent are lost or fragmented;

(B) 17 percent are in poor condition; and

(C) 60 percent have been lost or are in imminent danger of being fragmented by development and lost as coherent historic sites.

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

(1) to act quickly and proactively to preserve and protect nationally significant Civil War battlefields through conservation easements and fee-simple purchases of those battlefields from willing sellers; and

(2) to create partnerships among State and local governments, regional entities, and the private sector to preserve, conserve, and enhance nationally significant Civil War battlefields.

### SEC. 3. BATTLEFIELD ACQUISITION GRANT PROGRAM.

The American Battlefield Protection Act of 1996 (16 U.S.C. 469k) is amended—

(1) by redesignating subsection (d) as paragraph (3) of subsection (c), and indenting appropriately;

(2) in paragraph (3) of subsection (c) (as redesignated by paragraph (1))—

(A) by striking “APPROPRIATIONS” and inserting “APPROPRIATIONS”; and

(B) by striking “section” and inserting “subsection”;

(3) by inserting after subsection (c) the following:

“(d) BATTLEFIELD ACQUISITION GRANT PROGRAM.—

“(1) DEFINITIONS.—In this subsection:

“(A) BATTLEFIELD REPORT.—The term ‘Battlefield Report’ means the document entitled ‘Report on the Nation’s Civil War Battlefields’, prepared by the Civil War Sites Advisory Commission, and dated July 1993.

“(B) ELIGIBLE ENTITY.—The term ‘eligible entity’ means a State or local government.

“(C) ELIGIBLE SITE.—The term ‘eligible site’ means a site—

“(i) that is not within the exterior boundaries of a unit of the National Park System; and

“(ii) that is identified in the Battlefield Report.

“(D) SECRETARY.—The term ‘Secretary’ means the Secretary of the Interior, acting through the American Battlefield Protection Program.

“(2) ESTABLISHMENT.—The Secretary shall establish a battlefield acquisition grant program under which the Secretary may provide grants to eligible entities to pay the Federal share of the cost of acquiring interests in eligible sites for the preservation and protection of those eligible sites.

“(3) NONPROFIT PARTNERS.—An eligible entity may acquire an interest in an eligible site using a grant under this subsection in partnership with a nonprofit organization.

“(4) NON-FEDERAL SHARE.—The non-Federal share of the total cost of acquiring an interest in an eligible site under this subsection shall be not less than 50 percent.

“(5) LIMITATION ON LAND USE.—An interest in an eligible site acquired under this subsection shall be subject to section 6(f)(3) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l-8(f)(3)).

“(6) REPORTS.—

“(A) IN GENERAL.—Not later than 5 years after the date of the enactment of this subparagraph, the Secretary shall submit to Congress a report on the activities carried out under this subsection.

“(B) UPDATE OF BATTLEFIELD REPORT.—Not later than 2 years after the date of the enactment of this subsection, the Secretary shall submit to Congress a report that updates the Battlefield Report to reflect—

“(i) preservation activities carried out at the 384 battlefields during the period between publication of the Battlefield Report and the update;

“(ii) changes in the condition of the battlefields during that period; and

“(iii) any other relevant developments relating to the battlefields during that period.

“(7) AUTHORIZATION OF APPROPRIATIONS.—

“(A) IN GENERAL.—There are authorized to be appropriated to the Secretary from the Land and Water Conservation Fund to provide grants under this subsection \$10,000,000 for each of fiscal years 2004 through 2008.

“(B) UPDATE OF BATTLEFIELD REPORT.—There are authorized to be appropriated to the Secretary to carry out paragraph (6)(B), \$500,000.”; and

(4) in subsection (e)—

(A) in paragraph (1), by striking “as of” and all that follows through the period and inserting “on September 30, 2008.”; and

(B) in paragraph (2), by inserting “and provide battlefield acquisition grants” after “studies”.

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, I yield such time as he may consume to the gentleman from California (Mr. GARY G. MILLER) to explain this legislation.

Mr. GARY G. MILLER of California. Mr. Speaker, I rise today in support of H.R. 5125, the Civil War Battlefield Preservation Act of 2002.

On July 15, I introduced this bill, along with five of my colleagues, to show Congress’s continued commitment to preserving these historic sites.

I believe by preserving history, we teach future generations not only where we are from, but also what we are about and where we are heading. Preserving our past allows us to teach our children about the valor of the soldiers who fought and died, the strife families overcame, challenges that our society met, and struggles our ideals conquered. These battlefields are living classrooms to remind future generations of our Nation’s history.

If enacted, this measure seeks to authorize the American Battlefield Preservation Program, ABPP, a proven program Congress funded in 1999 at \$8 million and again in 2002 at \$11 million.

The Civil War Battlefield Preservation Program, CWBPP, has been enormously successful. The fiscal year 1999 appropriations were used to save nearly 7,000 acres of battlefield land, and generated an additional \$16 million in non-Federal money for preservation.

This is a fiscally responsible program that promotes non-Federal partnerships with States and localities. Grants are competitively awarded through the American Battlefield Protection Program, ABPP, an arm of the National Park Service.

Money authorized in H.R. 5125 is to be used for the acquisition from willing sellers of priority battlefield properties outside NPS boundaries. Last year 63 Members and 12 Senators signed bipartisan letters supporting the fiscal year 2002 appropriation for this same purpose.

A companion bill, S. 2968, was introduced with tripartisan support. Senators SARBANES, SESSIONS and JEFFORDS are all in support of this. Funding will take place in 2002 after last year’s \$11 million appropriation is exhausted. Thereafter the bill authorizes \$10,000 a year for Civil War battlefield preservation, with a minimum one-to-one match requirement.

This bill also authorizes \$500,000 for ABPP to update the 993 Civil War Sites Advisory Commission report, which prioritizes the 384 major conflicts of the Civil War by the status of threats to their integrity.

This authorization bill, which would fund battlefield preservation from fiscal year 2004 through 2008, would provide predictability and certainty to the program’s nonfunded partners as they prepare grant applications and make budgetary decisions.

I would like to thank the gentleman from Utah (Chairman HANSEN) and the gentleman from California (Mr. RADANOVICH), as well as the gentleman from West Virginia (Mr. RAHALL) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) for their commitment to preserving our Nation’s past.

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, this bill has a very worthy goal, and we have no objection to its passage.

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. 5125, 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.

### CENTRAL UTAH PROJECT COMPLETION ACT AMENDMENTS ACT

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4129) to amend the Central Utah Project Completion Act to clarify the responsibilities of the Secretary of the Interior with respect to the Central Utah Project, to redirect unexpended budget authority for the Central Utah Project for wastewater treatment and reuse and other purposes, to provide for prepayment of repayment contracts for municipal and industrial water delivery facilities, and to eliminate a deadline for such prepayment, as amended.

The Clerk read as follows:

H.R. 4129

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

### SECTION 1. AMENDMENTS TO THE CENTRAL UTAH PROJECT COMPLETION ACT.

(a) TREATMENT OF INVESTIGATION COSTS.—Section 201(b) of the Central Utah Project Completion Act (106 Stat. 4607) is amended following paragraph (2) by inserting the following: “All amounts previously expended in planning and developing the projects and features described in this subsection including amounts previously expended for investigation of power features in the Bonneville Unit shall be considered non-reimbursable and non-returnable.”.

(b) CLARIFICATION OF SECRETARIAL RESPONSIBILITIES.—Section 201(e) of the Central Utah Project Completion Act (106 Stat. 4608) is amended—

(1) in the first sentence—