

accordance with the purposes described in subsections 913(d) and (f).

(2) **ENFORCEMENT.**—The Secretary may take judicial or administrative action to enforce the provisions of any tribal management plan to ensure that any monies withdrawn from the Fund under the plan are used in accordance with this title.

(3) **LIABILITY.**—If the Tribe exercises the right to withdraw monies from the Fund pursuant to the Trust Fund Reform Act, neither the Secretary nor the Secretary of the Treasury shall retain any liability for the expenditure or investment of the monies withdrawn.

(4) **OPERATION, MAINTENANCE, AND REPLACEMENT PLAN.**—Expenditures of accrued interest, only, from the Fund may be made for operation, maintenance, and replacement plan approved by the Secretary.

(A) **IN GENERAL.**—The Tribe shall submit to the Secretary for approval an operation, maintenance, and replacement plan for any funds made available to it under this section.

(B) **DESCRIPTION.**—The plan shall describe the manner in which, and the purposes for which, funds made available to the Tribe will be used.

(C) **APPROVAL.**—On receipt of an expenditure plan under subparagraph (A), the Secretary shall, in a timely manner, approve the plan if the Secretary determines that the plan is reasonable and consistent with this title.

(5) **AVAILABILITY.**—Funds made available from the fund under this section shall be available without fiscal year limitation.

(6) **ANNUAL REPORT.**—The Tribe shall submit to the Secretary an annual report that describes all expenditures from the Fund during the year covered by the report.

(g) **NO PER CAPITA DISTRIBUTIONS.**—No part of the Fund shall be distributed on a per capita basis to members of the Tribe.

#### **SEC. 914. AUTHORIZATION OF APPROPRIATIONS.**

(a) **CORE SYSTEM.**—There is authorized to be appropriated \$129,280,000 to the Bureau of Reclamation for the planning, design, and construction of the core system. The Tribal portion of the costs shall be 76 percent. The Authority's portion of the costs shall be 24 percent.

(b) **ON-RESERVATION WATER DISTRIBUTION SYSTEMS.**—The Tribe shall use \$10,000,000 of the \$15,000,000 appropriated pursuant to the Chippewa Cree Tribe of the Rocky Boy's Reservation Indian Reserved Water Rights Settlement and Water Supply Enhancement Act of 1999 (Public Law 106-163), plus accrued interest, in the purchase, construction, expansion or rehabilitation of the on-reservation water distribution systems.

(c) **CHIPPEWA CREE WATER SYSTEM OPERATION, MAINTENANCE, AND REPLACEMENT TRUST FUND.**—For the Federal contribution to the Fund, established in section 913, there is authorized to be appropriated to the Bureau of Indian Affairs the sum of \$7,500,000 each year for fiscal year 2005 and 2006.

(d) **NONCORE SYSTEM.**—There is authorized to be appropriated \$73,600,000 to the Bureau of Reclamation for the planning, design, and construction of the noncore system.

(e) **COST INDEXING.**—The sums authorized to be appropriated under this section may be increased or decreased by such amounts as are justified by reason of ordinary fluctuations in development costs incurred after the date of enactment of this title, as indicated by engineering cost indices applicable for the type of construction involved.

#### **TITLE X—MISCELLANEOUS**

##### **SEC. 1001. Santee Sioux Tribe, Nebraska, Water System Study.**

(a) **STUDY.**—Pursuant to reclamation laws, the Secretary of the Interior (hereafter in this section referred to as the "Secretary"),

through the Bureau of Reclamation and in consultation with the Santee Sioux Tribe of Nebraska (hereafter in this section referred to as the "Tribe"), shall conduct a feasibility study to determine the most feasible method of developing a safe and adequate municipal, rural, and industrial water treatment and distribution system for the Santee Sioux Tribe of Nebraska that could serve the tribal community and adjacent communities and incorporate population growth and economic development activities for a period of 40 years.

(b) **COOPERATIVE AGREEMENT.**—At the request of the Tribe, the Secretary shall enter into a cooperative agreement with the Tribe for activities necessary to conduct the study required by subsection (a) regarding which the Tribe has unique expertise or knowledge.

(c) **REPORT.**—Not later than 1 year after funds are made available to carry out this section, the Secretary shall transmit to Congress a report containing the results of the study required by subsection (a).

(d) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Secretary \$500,000 to carry out this section.

##### **SEC. 1002. YUOK TRIBE AND HOPLAND BAND IN-CLUDED IN LONG TERM LEASING.**

(a) **IN GENERAL.**—The first section of the Act entitled "An Act to authorize the leasing of restricted Indian lands for public, religious, educational, recreational, residential, business, and other purposes requiring the grant of long-term leases", approved August 9, 1955 (25 U.S.C. 415(a)), is amended by inserting "lands held in trust for the Yurok Tribe, lands held in trust for the Hopland Band of Pomo Indians of the Hopland Rancheria," after "Pueblo of Santa Clara."

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall apply to any lease entered into or renewed after the date of the enactment of this title.

Mr. HANSEN (during the reading). Mr. Speaker, I ask unanimous consent that the amendment in the nature of a substitute be considered as read and printed in the RECORD.

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

There was no objection.

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

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### **BIG SUR WILDERNESS AND CONSERVATION ACT OF 2002**

Mr. HANSEN. Mr. Speaker, I ask unanimous consent that the Committee on Resources be discharged from further consideration of the bill (H.R. 4750) to designate certain lands in the State of California as components of the National Wilderness Preservation System, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 4750

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

#### **SECTION 1. SHORT TITLE AND DEFINITIONS.**

(a) **SHORT TITLE.**—This Act may be cited as the "Big Sur Wilderness and Conservation Act of 2002".

(b) **DEFINITIONS.**—As used in this Act, the term "Secretary" means the Secretary of the Interior or the Secretary of Agriculture, as appropriate.

#### **SEC. 2. ADDITIONS TO THE WILDERNESS PRESERVATION SYSTEM.**

(a) **ADDITIONS TO VENTANA WILDERNESS.**—

(1) **IN GENERAL.**—The areas described in paragraph (2)—

(A) are hereby designated as wilderness and, therefore, as components of the National Wilderness Preservation System; and

(B) are hereby incorporated in and shall be deemed to be a part of the Ventana Wilderness designated by Public Law 91-58.

(2) **AREAS DESCRIBED.**—The areas referred to in paragraph (1) are the following lands in the State of California administered by the Bureau of Land Management or the United States Forest Service:

(A) Certain lands which comprise approximately 995 acres, as generally depicted on a map entitled "Anastasia Canyon Proposed Wilderness Additions to the Ventana Wilderness" and dated March 22, 2002.

(B) Certain lands which comprise approximately 3,530 acres, as generally depicted on a map entitled "Arroyo Seco Corridor Proposed Wilderness Addition to the Ventana Wilderness" and dated March 22, 2002.

(C) Certain lands which comprise approximately 14,550 acres, as generally depicted on a map entitled "Bear Canyon Proposed Wilderness Addition to the Ventana Wilderness" and dated March 22, 2002.

(D) Certain lands which comprise approximately 855 acres, as generally depicted on a map entitled "Black Rock Proposed Wilderness Additions to the Ventana Wilderness" and dated March 22, 2002.

(E) Certain lands which comprise approximately 6,550 acres, as generally depicted on a map entitled "Chalk Peak Proposed Wilderness Addition to the Ventana Wilderness" and dated March 22, 2002.

(F) Certain lands which comprise approximately 1,345 acres, as generally depicted on a map entitled "Chews Ridge Proposed Wilderness Addition to the Ventana Wilderness" and dated March 22, 2002.

(G) Certain lands which comprise approximately 2,130 acres, as generally depicted on a map entitled "Coast Ridge Proposed Wilderness Additions to the Ventana Wilderness" and dated March 22, 2002.

(H) Certain lands which comprise approximately 2,270 acres, as generally depicted on a map entitled "Horse Canyon Proposed Wilderness Addition to the Ventana Wilderness" and dated March 22, 2002.

(I) Certain lands which comprise approximately 755 acres, as generally depicted on a map entitled "Little Sur Proposed Wilderness Addition to the Ventana Wilderness" and dated March 22, 2002.

(J) Certain lands which comprise approximately 4,130 acres, as generally depicted on a map entitled "San Antonio Proposed Wilderness Addition to the Ventana Wilderness" and dated March 22, 2002.

(b) **ADDITIONS TO SILVER PEAK WILDERNESS.**—

(1) **IN GENERAL.**—The areas described in paragraph (2)—

(A) are hereby designated as wilderness and, therefore, as components of the National Wilderness Preservation System; and

(B) are hereby incorporated in and shall be deemed to be a part of the Silver Peak Wilderness designated by Public Law 102-301.

(2) **AREAS DESCRIBED.**—The areas referred to in paragraph (1) are the following lands in the State of California administered by the United States Forest Service:

(A) Certain lands which comprise approximately 8,235 acres, as generally depicted on a map entitled "San Carpofo Proposed Wilderness Addition to the Silver Peak Wilderness" and dated March 22, 2002.

(B) Certain lands which comprise approximately 8,820 acres, as generally depicted on a map entitled "Willow Creek Proposed Wilderness Addition to the Silver Peak Wilderness" and dated March 22, 2002.

(C) ADDITIONS TO PINNACLES WILDERNESS.—

(1) IN GENERAL.—The areas described in paragraph (2)—

(A) are hereby designated as wilderness and, therefore, as components of the National Wilderness Preservation System; and

(B) are hereby incorporated in and shall be deemed to be a part of the Pinnacles Wilderness designated by Public Law 94-567.

(2) AREAS DESCRIBED.—The areas referred to in paragraph (1) are the lands in the State of California administered by the National Park Service which comprise approximately 2,715 acres, as generally depicted on a map entitled "Pinnacles Proposed Wilderness Additions" and dated October 30, 2001.

(d) MAPS AND DESCRIPTIONS.—

(1) FILING.—As soon as practicable after the date of enactment of this Act, the appropriate Secretary shall file a map and a boundary description of each area designated as wilderness by this Act with the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

(2) EFFECT.—Each map and description shall have the same force and effect as if included in this Act, except that the appropriate Secretary is authorized to correct clerical and typographical errors in such boundary descriptions and maps.

(3) AVAILABILITY.—Such maps and boundary descriptions shall be on file and available for public inspection in the Office of the Director of the Bureau of Land Management and in the Office of the Chief of the Forest Service, as appropriate.

(e) STATE AND PRIVATE LANDS.—Lands within the exterior boundaries of any area added to a wilderness area under this section that are owned by the State or by a private entity shall be included within such wilderness area if such lands are acquired by the United States. Such lands may be acquired by the United States only as provided in the Wilderness Act (16 U.S.C. 1131 and following).

### SEC. 3. ADMINISTRATIVE PROVISIONS.

(a) IN GENERAL.—Subject to valid existing rights, lands designated as wilderness by this Act shall be managed by the Secretary of Agriculture or the Secretary of the Interior, as appropriate, in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.) and this Act, except that, with respect to any wilderness areas designated by this Act, any reference in the Wilderness Act to the effective date of the Wilderness Act shall be deemed to be a reference to the date of enactment of this Act.

(b) GRAZING.—Grazing of livestock in wilderness areas designated by this Act shall be administered in accordance with the provisions of section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)), as further interpreted by section 108 of Public Law 96-560, and, the guidelines set forth in Appendix A of House Report 101-405 of the 101st Congress.

(c) STATE JURISDICTION.—As provided in section 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)), nothing in this Act shall be construed as affecting the jurisdiction or responsibilities of the State of California with respect to wildlife and fish in California.

(d) WATER.—

(1) RESERVATION OF WATER.—With respect to each wilderness area designated by this Act, Congress hereby reserves a quantity of

water sufficient to fulfill the purposes of this Act. The priority date of such reserved rights shall be the date of enactment of this Act.

(2) REQUIREMENT TO PROTECT RIGHTS.—The appropriate Secretary and all other officers of the United States shall take steps necessary to protect the rights reserved by paragraph (1), including the filing by the Secretary of a claim for the quantification of such rights in any present or future appropriate stream adjudication in the courts of the State of California in which the United States is or may be joined and which is conducted in accordance with the McCarran Amendment (43 U.S.C. 666).

(3) NO REDUCTION OR RELINQUISHMENT.—Nothing in this Act shall be construed as a relinquishment or reduction of any water rights reserved or appropriated by the United States in the State of California on or before the date of enactment of this Act.

(4) LIMITATION ON EFFECT.—The Federal water rights reserved by this Act are specific to the wilderness areas located in the State of California designated by this Act. Nothing in this Act related to reserved Federal water rights shall be construed as establishing a precedent with regard to any future designations, nor shall it constitute an interpretation of any other Act or any designation made pursuant thereto.

### SEC. 4. WILDERNESS FIRE MANAGEMENT.

(a) REVISION OF MANAGEMENT PLANS.—The Secretary of Agriculture shall, by not later than 1 year after the date of the enactment of this Act, amend the management plans that apply to each of the Ventana Wilderness and the Silver Peak Wilderness, respectively, to authorize the Forest Supervisor of the Los Padres National Forest to take whatever appropriate actions in such wilderness areas are necessary for fire prevention and watershed protection consistent with wilderness values, including best management practices for fire suppression and fire suppression measures and techniques.

(b) INCORPORATION INTO FOREST PLANNING.—Any special provisions contained in the management plan for the Ventana Wilderness and Silver Peak Wilderness pursuant to subsection (a) shall be incorporated into the management plan for the Los Padres National Forest.

### SEC. 5. MILITARY TRAINING AT FORT HUNTER-LIGGETT.

(a) OVERFLIGHTS.—Nothing in this Act shall preclude low level overflights of military aircraft, the designation of new units of special airspace, or the use or establishment of military flight training routes over wilderness areas designated by this Act.

(b) MILITARY ACCESS.—Nonmotorized access to and use of the wilderness areas designated by this Act for military training shall be authorized to continue in wilderness areas designated by this Act in the same manner and degree as authorized prior to enactment of this Act.

### SEC. 6. BIG SUR INVASIVE SPECIES ERADICATION.

(a) IN GENERAL.—The Secretary of Agriculture may conduct a 5-year pilot program to target the eradication of invasive plant and animal species in the Monterey District of the Los Padres National Forest.

(b) APPLICATION TO OTHER PROPERTY.—Activities under the program may include actions to address invasive species problems on nearby private land or other land that is not Forest Service property, if—

(1) the land owner, or the head of the governmental agency having administrative jurisdiction over the land in the case of State, local, or Federal government-owned land, seeks to participate in the program; and

(2) the invasive species concerned occurs on the land and poses a threat to national forest lands.

(c) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section there is authorized to be appropriated \$1,000,000 for each of 5 fiscal years.

### SEC. 8. SILVER PEAK WILDERNESS WATER SYSTEM SPLIT.

The Secretary of Agriculture may authorize the construction and maintenance of a new water line and corresponding spring box improvements adjacent to an existing domestic water service in the Silver Peak Wilderness.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

### GENERAL LEAVE

Mr. HANSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bills and resolutions just passed.

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

There was no objection.

(Mr. WATKINS of Oklahoma asked and was given permission to speak out of order.)

### GRATITUDE AND THANKS

Mr. WATKINS of Oklahoma. Mr. Speaker, I would like to express my personal gratitude and thanks to the gentleman from Utah (Mr. HANSEN) for his tremendous years of service, 20 years, and for his great leadership on the Committee on Standards of Official Conduct as well as the Committee on Resources. I would like to also thank, and we would be remiss if we did not thank, the staff for the tremendous work they have done in trying to put things together so they would be workable and also so we could pass something.

So, I thank the chairman and thanks to all of the staff for all of their tremendous work and help. It has been wonderful being in this body. This is my last remarks as an official Member and I just want to thank all of my colleagues for allowing me to come and be with you and serve over these years.

(Mr. DAVIS of Virginia asked and was given permission to speak out of order.)

### TRIBUTE TO MR. ARMEY

Mr. DAVIS of Virginia. Mr. Speaker, before we get to the majority leader being recognized, this is his final night on the job. I wanted to pay tribute to the gentleman from Texas (Mr. ARMEY) and his contribution to this House just in the short time I have been here.

First elected in 1984, an article in the Texas Observer called him one of the Texas 6-packs that year, 6 new Republican Members that had been elected and the consensus was these Members are never going to amount to anything,