DASCHLE), and the Senator from Virginia (Mr. ALLEN) were added as cosponsors of S. 1785, a bill to urge the President to establish the White House Commission on National Military Appreciation Month, and for other purposes.

S. 1867

At the request of Mr. LIEBERMAN, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 1867, a bill to establish the National Commission on Terrorist Attacks Upon the United States, and for other purposes.

S. 2006

At the request of Mr. GRAHAM, the names of the Senator from Nevada (Mr. ENSIGN) and the Senator from Arkansas (Mr. HUTCHINSON) were added as cosponsors of S. 2006, a bill to amend the Internal Revenue Code of 1986 to clarify the eligibility of certain expenses for the low-income housing credit.

S. 2119

At the request of Mr. WELLSTONE, his name was added as a cosponsor of S. 2119, a bill to amend the Internal Revenue Code of 1986 to provide for the tax treatment of inverted corporate entities and of transactions with such entities, and for other purposes.

S. 2194

At the request of Mr. MCCONNELL, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 2194, a bill to hold accountable the Palestine Liberation Organization and the Palestinian Authority, and for other purposes.

S. 2215

At the request of Mr. SANTORUM, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 2215, a bill to halt Syrian support for terrorism, end its occupation of Lebanon, stop its development of weapons of mass destruction, cease its illegal importation of Iraqi oil, and by so doing hold Syria accountable for its role in the Middle East, and for other purposes.

At the request of Mrs. BOXER, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 2215, supra.

S. 2233

At the request of Mr. THOMAS, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 2233, a bill to amend title XVIII of the Social Security Act to establish a medicare subvention demonstration project for veterans.

S. 2246

At the request of Mr. DODD, the name of the Senator from Rhode Island (Mr. CHAFEE) was added as a cosponsor of S. 2246, a bill to improve access to printed instructional materials used by blind or other persons with print disabilities in elementary and secondary schools, and for other purposes.

S. 2317

At the request of Mr. DURBIN, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 2317, a bill to provide for fire safety standards for cigarettes, and for other purposes.

S. 2386

At the request of Mrs. LINCOLN, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 2386, a bill to amend title XVIII of the Social Security Act to authorize physical therapists to diagnose, evaluate, and treat medicare beneficiaries without a requirement for a physician referral, and for other purposes.

S. 2426

At the request of Mr. SCHUMER, the names of the Senator from New Jersey (Mr. CORZINE) and the Senator from New York (Mrs. CLINTON) were added as cosponsors of S. 2426, a bill to increase security for United States ports, and for other purposes.

S. 2490

At the request of Mr. TORRICELLI, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 2490, a bill to amend title XVIII of the Social Security Act to ensure the quality of, and access to, skilled nursing facility services under the medicare program.

S. 2520

At the request of Mr. HATCH, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 2520, a bill to amend title 18, United States Code, with respect to the sexual exploitation of children.

S. 2558

At the request of Mr. REED, the names of the Senator from New Jersey (Mr. CORZINE) and the Senator from Oregon (Mr. SMITH) were added as cosponsors of S. 2558, a bill to amend the Public Health Service Act to provide for the collection of data on benign brain-related tumors through the national program of cancer registries.

S. 2560

At the request of Mr. ALLARD, the name of the Senator from Montana (Mr. BURNS) was added as a cosponsor of S. 2560, a bill to provide for a multi-agency cooperative effort to encourage further research regarding the causes of chronic wasting disease and methods to control the further spread of the disease in deer and elk herds, to monitor the incidence of the disease, to support State efforts to control the disease, and for other purposes.

S. 2577

At the request of Mr. FITZGERALD, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 2577, a bill to repeal the sunset of the Economic Growth and Tax Relief Reconciliation Act of 2001 with respect to the exclusion from Federal income tax for restitution received by victims of the Nazi Regime.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BINGAMAN:

S. 2607. A bill to authorize the Secretary of the Interior and the Secretary of Agriculture to collect recreation fees on Federal lands, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. BINGAMAN. Mr. President, today I am introducing legislation to authorize the Federal land management agencies, the National Park Service, U.S. Fish and Wildlife Service, Bureau of Land Management and Forest Service, to collect visitor recreation fees, and to use the proceeds from the fees to continue to fund high priority resource protection and maintenance backlog needs.

Following enactment of the Recreation Fee Demonstration Program in 1996, the Federal agencies have been authorized to experiment with various fee collection proposals. That program also authorized the Federal agencies, for the first time, to retain all of the fee revenues and to use those funds, without the need for further appropriation, on maintenance backlog and other funding needs.

The Recreation Fee Demonstration Program has been extended each year, most recently through September 30, 2004. For the most part, the fee demonstration program has been very successful. However, unlike the previous fee authority in the Land and Water Conservation Fund Act, the fee demonstration program contained no guidance to the agencies or limitations on the types of fees that could be collected. As a result, the program has generated some controversy, especially with respect to certain Forest Service and Bureau of Land Management lands where fees had not historically been charged.

The bill I am introducing today builds upon the positive results from the Recreation Fee Demonstration Program, while including new criteria to ensure that fees are not imposed inappropriately. The bill provides the Secretary of the Interior and the Secretary of Agriculture with considerable discretion to administer the program while ensuring that recreational access to Federal lands remains available to all Americans. Most importantly, the bill maintains the existing requirement that a majority of the fees be retained for expenditure at the site where collected.

I believe there is strong support for enacting permanent fee authority. The Committee on Energy and Natural Resources will hold a hearing on this bill on June 19, and I hope it will be ready for consideration by the full Senate in the near future.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2607

Be it enacted in 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 ''Federal Lands Recreation Fee Authority Act''.

SEC. 2. RECREATION FEES ON FEDERAL LANDS.

(a) GENERAL AUTHORITY.—Except as provided in subsection (b):

(1) The Secretary of the Interior is authorized to collect recreation fees, including entrance and use fees, on the following lands administered by the Secretary:

(A) Units of the National Park System;

(B) Units of the National Wildlife Refuge System; and

(C) National monuments and national conservation areas administered by the Bureau of Land Management.

(2) The Secretary of Agriculture is authorized to collect recreation fees, including entrance and use fees, on the following National Forest System lands administered by the Secretary:

(A) National monuments;

(B) National volcanic monuments;

(C) National scenic areas; and

(D) National recreation areas.

(3) The Secretary of the Interior, with respect to lands administered by the Bureau of Land Management, and the Secretary of Agriculture, with respect to National Forest System lands, is also authorized to collect fees at areas not described in paragraphs (1) and (2) if—

(A) such area is managed primarily for outdoor recreation purposes and contains at least one major recreation attraction;

(B) such area has had substantial Federal investments, as determined by the appropriate Secretary, in—

(i) providing facilities or services to the public; or

(ii) restoring resource degradation caused by public use; and

(C) public access to the area is provided in such a manner that entrance fees can be efficiently collected at one or more centralized locations.

(5) The Secretary of the Interior or the Secretary of Agriculture, as appropriate, may reduce or waive any fee authorized under this Act, as appropriate.

(6) For each unit or area collecting an entrance fee, the appropriate Secretary shall establish at least one day each year during periods of high visitation as a ''Fee Free Day'' when no entrance fee shall be charged.

(7) No recreation fees of any kind shall be imposed or collected for outdoor recreation purposes on Federal lands under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture, except as provided in this Act.

(b) PROHIBITION ON FEES.—(1) No recreation fees shall be charged under this Act—

(A) for travel by private, noncommercial vehicle over any national parkway or any road or highway established as a part of the National Federal Aid System, as defined in section 101 of title 23, United States Code, which is commonly used by the public as a means of travel between two places, either or both of which are outside of the fee area;

(B) for travel by private, noncommercial vehicle over any road or highway to any land in which a person has any property right if such land is within the unit or area at which recreation fees are charged;

(C) for any person who has a right of access for hunting or fishing privileges under a specific provision of law or treaty; or

(D for any person who is engaged in the conduct of official business within the unit or area at which recreation fees are charged.

(2) Entrance fees shall not be charged—

(A) for any person under 16 years of age;

(B) for admission of organized school groups or outings conducted for education purposes by schools or other bona fide educational institutions;

(C) for any area containing deed restrictions on charging fees;

(D) for any person entering a national wildlife refuge who is the holder of a valid migratory bird hunting and conservation stamp issued under section 2 of the Act of March 16, 1934 (16 U.S.C. 718b) (commonly known as the Duck Stamp Act);

(E) for any person holding a valid Golden Eagle Passport, Golden Age Passport, Golden Access Passport, or for entrance to units of the National Park System, a National Parks Passport; and

(F) at the following areas administered by the National Park Service:

(i) U.S.S. Arizona Memorial;

(ii) Independence National Historical Park;

(iii) any unit of the National Park System within the District of Columbia or the Arlington House—Robert E. Lee National Memorial in Virginia; and

(iv) any unit of the National Park System located in Alaska, with the exception of Denali National Park and Preserve (notwithstanding section 203 of the Alaska National Interest Lands Conservation Act (16 U.S.C. 410hh–2)); and

(G) in Smoky Mountains National Park, unless entrance fees are charged on main highways and thoroughfares, no fees shall be charged for entrance on other routes into the park, or any part thereof.

(c) FEE CONSIDERATIONS.—(1) Recreation fees charged by the Secretary of the Interior or the Secretary of Agriculture shall be fair and equitable, taking into consideration—

(A) the direct and indirect cost to the Federal agency involved;

(B) the benefits and services provided to the visitor;

(C) the public policy and management objectives served;

(D) costs to the visitor;

(E) the effect of multiple fees charged within the same area;

(F) fees charged at comparable sites by other public agencies; and

(G) the economic and administrative feasibility of fee collection at the site.

(2) The Secretary of the Interior and the Secretary of Agriculture shall work cooperatively to ensure that comparable fees and services are established on Federal lands under each Secretary's jurisdiction, and that guidelines for assessing the type and amount of recreation fees are consistent between areas under each Secretary's jurisdiction.

(3) The Secretary of the Interior and the Secretary of Agriculture shall, to the extent practicable, seek to minimize multiple fees within specific units or areas.

(d) RECREATION USE FEES.—(1) The Secretary of the Interior and the Secretary of Agriculture may provide for the collection of recreation use fees where the Federal agency develops, administers, provides, or furnishes at Federal expense, specialized outdoor recreation sites, facilities, equipment, or services.

(2) As used in this subsection, the term ''specialized outdoor recreation sites, facilities, equipment, or services'' includes—

(A) a developed campground;

(B) a swimming site;

(C) a boat launch facility;

(D) a managed parking lot;

(E) facility or equipment rental;

(F) an enhanced interpretive program;

(G) a reservation service; or

(H) a transportation service.

(3) Recreation use fees may not be charged for—

(A) general access to an area;

(B) access to a visitor center;

(C) a dispersed area with little or no Federal investment;

(D) a scenic overlook or wayside;

(E) drinking fountains or restrooms;

(F) undeveloped parking;

(G) picnic tables (when not part of a developed campground or recreation area);

(H) special attention or extra services necessary to meet the needs of the disabled; or

(I) any nonrecreational activity authorized under a valid permit issued under any other Act.

(e) SPECIAL RECREATION PERMIT FEE.—The Secretary of the Interior or the Secretary of Agriculture may require a special recreation permit and may charge a special recreation permit fee for recreation use involving a group activity, a commercial tour, a commercial aircraft tour, a recreation event, use by a motorized recreation vehicle, a competitive event, and an activity where a permit is required to ensure resource protection or public safety.

SEC. 3. ANNUAL PASSES.

(a) IN GENERAL.—The Secretary of the Interior and the Secretary of Agriculture shall jointly establish procedures for the issuance of, and make available the following passes:

(1) GOLDEN EAGLE PASSPORT.—An annual admission permit, to be known as the ''Golden Eagle Passport'', to be valid for a period of one year for admission into any unit or area collecting an entrance fee under this Act.

(2) GOLDEN AGE PASSPORT.—A lifetime admission permit to any citizen of, or person domiciled in the United States sixty-two years of age or older, entitling the permittee to admission into any unit or area collecting an entrance fee under this Act.

(3) GOLDEN ACCESS PASSPORT.—A lifetime admission permit to any citizen of, or person domiciled in the United States who is blind or permanently disabled, to be issued without cost.

(4) OTHER PASSES.—The Secretary of the Interior and the Secretary of Agriculture may develop such other annual, regional or site-specific passes as they deem appropriate.

(b) TERMS AND CONDITIONS.—

(1) Unless determined otherwise by the Secretary of the Interior and the Secretary of Agriculture, the passes authorized under this section shall be issued under the same terms and conditions as existed for such passes as of the date of enactment of this Act.

(2) The Secretaries shall develop such terms and conditions for the passes authorized in this section as they deem necessary.

(c) NATIONAL PARK PASSPORT.—Nothing in this Act affects the authority of the Secretary of the Interior to issue national park passports, as authorized in title VI of the National Parks Omnibus Management Act of 1998 (16 U.S.C. 5991 et seq.).

SEC. 4. ADMINISTRATION.

(a) IN GENERAL.—The Secretary of the Interior and the Secretary of Agriculture shall establish guidelines identifying the process by which the agencies under each Secretary's jurisdiction shall establish and change the amounts charged for any recreation fee, including entrance fees, recreation use fees, or special recreation permit fees collected under this Act. Such guidelines shall require that the agencies coordinate with each other, to the extent practicable, when establishing or changing fees.

(b) NOTICE.—The Secretary of the Interior or the Secretary of Agriculture, as appropriate, shall post clear notice of any entrance fee and available passes at appropriate locations within each area where a recreation fee is charged. Notice shall also be included in publications distributed at the unit or area where the fee is collected. The Secretaries shall jointly take such actions as may be necessary to provide information to the public on all available passes authorized by this Act.

(c) NOTICE OF RECREATION FEE PROJECTS.—The Secretary of the Interior and the Secretary of Agriculture shall, to the extent practicable, post clear notice of where work is being done using fee revenues collected under this Act.

(d) FEE MANAGEMENT AGREEMENTS.—Notwithstanding the Federal Grant and Cooperative Agreements Act of 1977 (31 U.S.C. 6301 et seq.), the Secretary of the Interior and the Secretary of Agriculture may enter into fee management agreements, that provide for reasonable commissions or reimbursements, with any governmental or nongovernmental entities to provide fee collection and processing services, including visitor reservation services.

(e) VOLUNTEERS.—The Secretary of the Interior and the Secretary of Agriculture may use volunteers, as appropriate, to collect fees and sell passes authorized by this Act.

SEC. 5. EXPENDITURE OF FEES.

(a) SPECIAL ACCOUNT.—The Secretary of the Treasury shall establish a separate special account in the Treasury for each Federal agency collecting recreation fees under this Act. Amounts collected by each agency under this Act shall be deposited into its special account in the Treasury, and shall be available for expenditure by the appropriate agency, without further appropriation, to remain available until expended.

(b) DISTRIBUTION.—(1) Eighty percent of the amounts collected at a specific unit or area shall remain available for expenditure without further appropriation, at the unit or area where the fees were collected, except that the Secretary of the Interior or the Secretary of Agriculture, as appropriate, may reduce the local allocation amount to not less than 60 percent of the fees collected if the Secretary determines that the unit or area's revenues in any specific fiscal year exceed its reasonable needs for which expenditures may be made.

(2) Amount not retained at the site or area collecting the fee shall remain available for expenditure without further appropriation to the Federal agency administering the site, for distribution in accordance with national priority needs within such agency.

(3) Revenues from the sale of annual passes shall be distributed in accordance with revenue sharing agreements developed by the Secretary of the Interior and the Secretary of Agriculture.

(c) USE OF FEE REVENUES.—Amounts made available under subsection (b)(1) for expenditure at a specific unit or area shall be accounted for separately from amounts available under (b)(2). Both amounts shall be used for resource preservation, backlogged repair and maintenance projects (including projects related to health and safety), interpretation, signage, habitat for facility enhancement, law enforcement related to public use, maintenance, and direct operating or capital costs associated with the recreation fee program.

SEC. 6. CONFORMING AMENDMENTS.

(a) REPEAL OF OTHER FEE AUTHORITIES.—Section 4 of the Land and Water Conservation Fund Act (16 U.S.C. 4601–4a) and section 315 of Public Law 104–134, as amended (16 U.S.C. 4601–4a note), are repealed, except that the repeal of such provisions shall not affect the expenditure of revenues already obligated. All unobligated amounts as of the date of enactment of this Act shall be transferred to the appropriate special account established under this Act and shall be available as provided in this Act.

(b) FEDERAL AND STATE LAW UNAFFECTED.—Nothing in this Act shall be construed—

(1) to authorize Federal hunting or fishing licenses or fees;

(2) to authorize charges for commercial or other activities not related to recreation;

(3) to affect any rights or authority of the States with respect to fish and wildlife;

(4) to repeal or modify any provision of law that provides that any fees or charges collected at specific Federal areas be used for, or created to specific purposes or special funds as authorized by that provision of law; or

(5) to repeal or modify any provision of law authorizing States or political subdivisions thereof to share in revenues from Federal lands.

By Mr. HOLLINGS (for himself, Mr. GREGG, Mr. KERRY, Ms. SNOWE, Mr. INOUYE, Mr. REED, Mr. BREAUX, Mr. CLELAND, Mr. DEWINE, Mr. SARBANES, Mr. BIDEN, Mr. KENNEDY, Ms. MIKULSKI, Mr. COCHRAN, Mr. TORRICELLI, Mrs. MURRAY, Ms. LANDRIEU, Mr. CORZINE, and Mr. LIEBERMAN):

S. 2608. A bill to amend the Coastal Zone Management Act of 1972 to authorize the acquisition of coastal areas in order better to ensure their protection from conversion or development; to the Committee on Commerce, Science, and Transportation.

Mr. HOLLINGS. Mr. President, I rise today with my colleague Senator GREGG to introduce the Coastal and Estuarine Land Protection Act of 2002. I would like to thank our cosponsors, Senators KERRY, SNOWE, INOUYE, J. REED, BREAUX, CLELAND, DEWINE, SARBANES, BIDEN, KENNEDY, MIKULSKI, COCHRAN, TORRICELLI, MURRAY, and LANDRIEU for their support of this bill, which marks another important chapter of our thirty year effort to put coastal and ocean issues at the forefront of environmental policy.

When I was Governor of South Carolina over 30 years ago, I experienced first hand the need for Federal direction and assistance to the States to enable them to effectively and sustainably manage coastal development. My experiences during a series of coastal hearings and continued research in the Senate led me to write the Coastal Zone Management Act of 1972, which provided clear policy objectives for states to establish coordinated coastal zone management programs to help balance coastal development with protection. Since the CZMA became law, 34 of the 35 coastal states have established approved programs to help preserve and utilize their precious resources, and the program has proven to be a successful partnership between the Federal government and our states.

But we appear to need more tools to help States continue the job we started in 1972. In the year 2002, as our population grows, more and more people are moving to the coast to enjoy its beauty and recreational opportunities. In fact, by 2010, an estimated 60 percent of Americans will live along our coasts, which represent less than 17 percent of our land area. More than 3,000 people move to coastal areas everyday, and fourteen of the Nation's 20 largest cities are on the coast, and are five times more densely populated than the interior of the country. As these good folks move to take advantage of coastal living, we have to be careful that we don't destroy the natural resources and quality of life that draw them to our shores. Big changes are coming to all of our coastal counties, and we must make some careful and smart decisions if we want to keep the very resources we depend on.

In particular, estuaries and wetlands have many unique attributes that make them important to both our natural resources and our economy. Estuaries, and the watersheds that flow into them, support fisheries and wildlife and contribute immensely to the coastal area economies. Wetlands are critical to many life cycles of organisms and help improve surface water quality by filtering our wastes. But these ecologically and economically important watersheds are also under the most threat from land development and conversion away from their natural state. The Forest Service's recently released Southern Forest Resource Assessment shows that coastal urbanization trends are particularly strong in the southeastern areas. In my state alone, the natural forests of the coastal plain are projected to decrease by 1.9 million acres in the next 40 years—a 35 percent loss of South Carolina's forests. These findings and future trends tell me that for the good of our coastal communities we need some fast, targeted action to protect ecologically important coastal areas most threatened with development or conversion.

Now more than ever, the pressures of urbanization and pollution along our Nation's coasts threaten to impair watersheds, impact wildlife habitat and cause irreparable damage to the fragile coastal ecology. This year the Environmental Protection Agency rated the overall condition of our coastal waters as fair to poor, with 44 percent of estuarine areas impaired for human or aquatic life use. While some areas of the country are seeing some improvement as a result of control on industry, the experts predict that the more pristine areas like the Southeast, which as some of the best water quality in the Nation, will experience degradation of water quality due primarily to runoff of pollutants from rapid development in our coastal watersheds. This is very bad news for the shrimpers, oystermen, and recreational users who depend on these waters for their livelihood and quality of life.

We see strong signals of what continuing down this path will bring us: sustained beach closings due to excess sewage drainage; shellfish bed closings and fish consumption advisories resulting from toxic runoff or bacteria; fish kills due to lack of oxygen from nutrient runoff; marine mammal diseases; and human health impacts. The National Research Council reports that over the next 20 years over 70 percent of our estuaries will experience more of

these low oxygen, or ''eutrophic'' conditions, such as the Gulf ''Death Zone.'' If this trend continues, our coastal economies will suffer and perhaps never recover. I know in my state the economy would falter greatly from the lack of fishing, shrimping and tourism opportunities, and this is true up and down the Atlantic coast, which contains 37 percent of the Nation's estuarine areas.

The good news is that there are ways we can make a difference, and we have some goods models we can turn to. I am proud to say my home state of South Carolina is a leader in this area. The past decade I have led an extensive cooperative conservation effort, bringing together the State of South Carolina, private landowners, groups like the Nature Conservancy, Ducks Unlimited and Federal partners like NOAA and the Fish and Wildlife Service to protect the ACE Basin. It is now the largest pristine estuarine reserve on the East Coast, a 350,000-acre area at the convergence of the Edisto, Ashepoo and Combahee Rivers, which comprises many ecologically important habitats that are home to many fish and bird species, including a number of endangered species. An outcome of these efforts is that the ACE Basin, already home to a National Wildlife Refuge, was declared a National Estuarine Research Reserve in 1992, and has been growing in size ever since. In building the ACE Basin, the partners worked creatively and in a coordinated manner, and we successfully obtained land acquisition funds through a variety of federal sources, including the Forest Legacy Program.

What became clear, however, is that there is no federal program explicitly setting aside funding for conservation of coastal lands, where the needs are clearly the greatest. That is exactly what the Coastal and Estuarine Land Protection Act of 2002 will do. The bill, which is strongly supported by The Trust for Public Land, Coastal States Organization, The Nature Conservancy and Land Trust Alliance, amends the CZMA to authorize a competitively matching grant program in NOAA to enable states to permanently protect important coastal areas. Under this NOAA program, coastal states can compete for matching funds of up to 75 percent to acquire land or easements for the protection of endangered coastal areas that have considerable conservation, recreation, ecological, historical or aesthetic values threatened by development or conversion. The bill also provides funding for a regional watershed demonstration project that can be used as a model for future watershed-scale programs. The program is authorized at $60 million for fiscal year 2003 and beyond, with an additional $5 million for the regional watershed demonstration project.

By establishing a plan for the preservation of our coastal areas, the Coastal and Estuarine Land Protection Act will build on the foundation laid down by the CZMA, all in stride with the changing times, growing number of people, and limited resources available today. When it comes to the environment, rules and regulations sometimes can't do it all. Sometimes cooperative actions work better and we can turn to models that encourage joint conservation projects among folks who all want the same thing, sustainable coasts.

Partnership programs among federal government, state agencies, local governments, private landowners and nonprofits, like the ACE Basin Project, work and we need to encourage these partnerships in all our coastal areas if we are to prevent degradation of our coastal resources. The good news is that we can make a difference today by providing the funding for land conservation partnerships provided for by Coastal and Estuarine Land Protection Act. I am proud to be a sponsor of this bill, which will not only improve the quality of the coastal areas and marine life it supports, but also sustain surrounding communities and their way of life.

Mr. GREGG. Mr. President, I rise today along with Senator HOLLINGS to introduce S. 2608, the Coastal and Estuarine Land Protection Act. We are introducing this much needed coastal protection act along with Senators COCHRAN, DEWINE, SNOWE, BIDEN, CARPER, CLELAND, INOUYE, BREAUX, LANDRIEU, SARBANES, MIKULSKI, KENNEDY, KERRY, TORRICELLI, and MURRAY. In addition, this legislation is supported by the Coastal States Organization, the National Estuarine Research Reserve Association, the Trust for Public Lands, The National Conservancy, and the Land Trust Alliance.

The Coastal and Estuarine Land Protection Act promotes coordinated land acquisition and protection efforts in coastal and estuarine areas by fostering partnerships between non-governmental organizations and federal, state, and local governments. With Americans rapidly moving to the coast, pressures to develop critical coastal ecosystems are increasing. There are fewer and fewer undeveloped and pristine areas left in the nation's coastal and estuarine watersheds. These areas provide important nursery habitat for two-thirds of the nation's commercial fish and shellfish, provide nesting and foraging habitat for coastal birds, harbor significant natural plant communities, and serve to facilitate coastal flood control and pollutant filtration.

The Coastal and Estuarine Land Protection Act pairs willing sellers through community-based initiatives with sources of federal funds to enhance environmental protection. Lands can be acquired in full or through easements, and none of the lands purchased through this program would be held by the federal government. S. 2608 puts land conservation initiatives in the hands of state and local communities. This new program, authorized through the National Oceanic and Atmospheric Administration at $60,000,000 per year, would provide federal matching funds to states with approved coastal management programs or to National Estuarine Research Reserves through a competitive grant process. Federal matching funds may not exceed 75% of the cost of a project under this program, and non-federal sources may count in-kind support toward their portion of the cost share.

This coastal land protection program provides much needed support for local coastal conservation initiatives throughout the country. In my role as the Ranking Member of the Commerce, Justice, State Appropriations Subcommittee, I have been able to secure significant funds for the Great Bay estuary in New Hampshire. This estuary is the jewel of the seacoast region, and is home to a wide variety of plants and animal species that are particularly threatened by encroaching development and environmental pollutants. By working with local communities to purchase lands or easements on these valuable parcels of land, New Hampshire has been able to successfully conserve the natural and scenic heritage of this vital estuary.

Programs like the Coastal and Estuarine Land Protection program will now enable other states to participate in these community-based conservation efforts in coastal areas. This program was modeled after the U.S. Department of Agriculture's successful Forest Legacy Program, which has conserved millions of acres of productive and ecologically significant forest land around the country.

I welcome the opportunity to offer this important legislation, with my close friend, Senator HOLLINGS. I am thankful for his strong leadership on this issue, and look forwarding to working with him to make the vision for this legislation a reality, and to successfully conserve our ecologically, historically, recreational, and aesthetically important coastal lands.

By Mr. LEAHY (for himself and Mr. SCHUMER):

S. 2609. A bill to require the Federal Trade Commission to promulgate a rule to establish requirements with respect to the release of prescriptions for contact lenses; to the Committee on Commerce, Science, and Transportation.

Mr. LEAHY. Mr. President, the Contact Lens Prescription Release Act of 2002 will rectify a troubling anomaly in competition and health care law: Eye doctors have long been required to provide patients with the prescriptions for their eyeglasses, but not for contact lenses. This bill will require ophthalmologists and optometrists to release contact lens prescriptions to their patients, just as they have long been required to do for eyeglass wearers.

Since 1973, when the Federal Trade Commission issued a regulation requiring the automatic release of eyeglass prescriptions, the millions of citizens who wear glasses have had access to,

and the use of, their own prescriptions. They have long been able to ''shop around'' for the best provider of eyeglasses for themselves, but contact lens wearers are often forced to purchase their contacts from their eye doctors, because they have been denied possession of their own prescriptions.

The contact lens industry was in its infancy in 1973, and thus was excluded from the FTC's regulation. Now that 35 million Americans wear contact lenses, the industry is profoundly different. Thirty years ago, it made sense that the FTC did not extend its rule to cover contact lenses, but now that so many patients wear contacts, it seems the time is ripe for the law to reflect this growing health care trend. In addition, because patients' prescriptions can be exclusively held by their doctors, anticompetitive behavior among some eye doctors has escalated, to the detriment of consumers and competition.

In some instances, doctors can effectively force their patients to buy contact lenses from their doctors who can also require them to come in for eye exams before they receive replacement lenses, even if there is no change to the prescription. Patients must then pay for medical services they do not want, and cannot shop around for the best price or most convenient delivery service for their contact lens, like on-line ordering, or discount dealers. In fact, thirty-two State Attorneys General have recently settled an antitrust suit against the American Optometric Association and Johnson & Johnson, maker of ACUVUE disposable contact lenses, in which the attorneys general alleged that defendants conspired to force patients to buy their lenses only from eye doctors, and to eliminate competition from alternative distributors of contact lenses.

The Contact Lens Prescription Release Act would require the FTC to amend its trade regulation rule on ophthalmic practice to require a contact lens prescriber to release to the patient, or her agent, a copy of the prescription, and it would make it an unfair practice for any contact lens supplier to represent that the lenses could be obtained without a valid prescription. This bill would put contact lens wearers in the same position as their bespectacled brethren: They could have control of their own medical information, and be able to choose the right supplier, from a more competitive marketplace of suppliers, for themselves.

By Mr. WELLSTONE (for himself and Mr. CORZINE):

S. 2610. A bill to amend part A of title IV of the Social Security Act to include efforts to address barriers to employment as a work activity under the temporary assistance to needy families program, and for other purposes; to the Committee on Finance.

Mr. WELLSTONE. Mr. President, I rise today to introduce the Chance to Succeed Act of 2002 on behalf of myself and my colleagues Senator CORZINE.

The research is clear that many of the parents still receiving Temporary Assistance for Needy Families, TANF, cash assistance have barriers, often multiple barriers, that make it harder, sometime impossible, for them to work. These barriers include mental and physical impairments including learning disabilities, domestic and sexual violence, substance abuse, limited English proficiency, and hopelessness. In some cases, parents are caring for a child with disabilities and this inhibits their ability to meet the State's work requirements.

In my own State of Minnesota, we are beginning to see compelling evidence that many families receiving TANF, have significant barriers to employment. A recent study done by Lifetrack Resources looked at welfare recipients participating in a transitional jobs program. This research found that individuals participating in the program had an average of seven barriers to employment, ranging from a lack of reliable transportation to limited education to domestic violence issues. Welfare offices in Ramsey and Hennepin Counties, where the bulk of families approaching their 5 year lifetime limit live, found similar results as they have begun testing TANF recipients for learning problems, mental illness, physical limitations and other disabilities. They found that: about two-thirds of the parents in each county have problems severe enough to qualify for benefits extension; In Ramsey county, testers who have worked with several hundred parents, have found the average IQ for English speakers was 82. An IQ of 100 is considered average; and Hennepin County found that 24 percent of a sample of 66 parents reaching their time limits had a mental illness.

With additional help, many of these families in Minnesota and elsewhere, will be better able to maximize their potential and move toward greater financial independence. In order to be able to better help these families address such barriers and move toward work, States need to have in place policies and procedures that help identify these families and the barriers they face and provide them with the services and supports they will need to eventually succeed in the workplace. There is no need for these policies and procedures to be identical—one size does not fit all for states or families. But, the failure to have any such procedures results in families with barriers being inappropriately sanctioned while also unable to work. It also means that States are not using their limited TANF resources most efficiently to ensure accurate matching of families' barriers with program to help to address those barriers. Inadequate screening and assessment impedes states' ability to better tailor their programs and the individual's responsibility plan to meet a family's needs.

Some States have already taken steps along the lines proposed in this bill. The purpose of the provisions in this bill is to put into place a skeletal structure in each State, leaving the States with flexibility in terms of exactly how the various provisions are implemented, will help to ensure that both states and families have the tools they need to ultimately ensure that more low-income families succeed in the workplace. The Chance to Succeed Act encourages states to better serve the needs of TANF recipients with barriers to employment by: giving states broad flexibility to place TANF recipients in barrier-removal activities and count recipients participating in such activities toward federal work participation rates for at least three months; improving service delivery for families with barriers by developing a screening, assessment and service delivery process; providing technical assistance to states to develop model practices, standards and procedures for screening, assessment and addressing barriers to move individuals into employment; and providing funding for state-level advisory panels to improve state policies and procedures for assisting families with barriers to work; helping TANF recipients with barriers to employment move into the workforce by creating personal responsibility plans that outline an employment goal for moving an individual into stable employment; the obligations of the individual to work toward becoming and remaining employed in the private sector; the individual's long-term career goals and the specific work experience, education, or training needed to reach them; and the services the State will offer based on screening and assessment; and developing sanction, conciliation and follow-up procedures that address barriers and improve compliance.

TANF recipients want to work and be able to provide for themselves and their children. To be poor in this country is difficult enough, but to be poor and on welfare carries with it a stigma that makes life nearly impossible. States like Minnesota and others are only now coming to understand the true depth and extent of the kinds of barriers to employment that many TANF recipients face. It takes a tremendous commitment of effort and resources to provide individuals with the services and supports they need to address these barriers so that they may successfully transition into the workforce. It is critical that our federal TANF policies do all that is possible to help those states that are already making this kind of commitment. I believe this bill does just that, and I urge each of my colleagues to support it. I look forward to working with my colleagues on the Finance Committee and others to ensure that the provisions in this bill are included in the Senate TANF reauthorization bill.

By Mr. REED (for himself, Mr. KENNEDY, Ms. COLLINS, Mr. JEFFORDS, Mr. FRIST, Mr. COCHRAN,

Mr. LEVIN, Mr. CHAFEE, Ms. LANDRIEU, Mr. DAYTON, and Mr. WELLSTONE):

S. 2611. A bill to reauthorize the Museum and Library Services Act, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, today I introduce the Museum and Library Services Act of 2002. I am pleased to be joined by Senators KENNEDY, COLLINS, JEFFORDS, FRIST, COCHRAN, LEVIN, CHAFEE, LANDRIEU, and DAYTON in introducing this legislation to strengthen museum and library services.

Museums and libraries are rich centers of learning, woven into the fabric of our communities, big and small, urban and rural.

Today's library is not simply a place where books are read and borrowed. It is a place where a love for reading is born and renewed again and again, and where information is sought and discovered. American libraries also coordinate and provide comprehensive services to meet the needs of their communities and people of all ages. They provide Internet access, family literacy classes, homework help, mentoring programs, English as A Second Language, ESL, classes, job training, and resume writing workshops.

America's museums bring wonderment and joy to young and old alike, encouraging discovery and celebrating our heritage and our heroes. Today's museums bring everyday objects, art, music, science, technology, and much more to life. Museums help us preserve our past, understand our present, and plan our future.

The Federal Government has a long history of supporting our Nation's libraries and museums, providing direct aid to public libraries since the adoption of the Library Services and Construction Act, LSCA, in 1956 and funding to museums since the enactment of the Museum Services Act in 1976.

The Museum and Library Services Act was enacted in 1996, reauthorizing federal library and museum programs under a newly created, independent federal agency called the Institute for Museum and Library Services, IMLS. The Museum and Library Services Act consists of two main subtitles, the Library Services and Technology Act and the Museum Services Act. Senator KENNEDY, Senator JEFFORDS, and my predecessor, former Senator Claiborne Pell, were instrumental in the development and enactment of this law.

Under the Library Services and Technology Act, LSTA, IMLS funds four grant programs for libraries to improve access to information through technology, to ensure equity of access and to help bring resources to underserved audiences. These programs serve all types of our nation's 122,000 libraries: public, academic, research, school, and archive.

In Rhode Island, LSTA funding allows libraries to provide summer reading programs for students and participate in the Rhode Island Family Literacy Initiative that helps families with limited English language skills. Last fall, the Providence Public Library was one of 6 museums and libraries recognized by IMLS with a National Award for Museum and Library Service.

Under the Museum Service Act, IMLS provides funding and technical assistance to museums for preservation of museum collections, new technologies for exhibits, and general operations. Approximately 15,000 U.S. museums from aquariums to arboretums and botanical gardens, to art museums, to historic houses and sites, to nature centers, to science and technology centers, to zoological parks benefit from the IMLS's existence. Several Rhode Island museums have received IMLS funding, including the Children's Museum of Rhode Island, the Museum of Art at the Rhode Island School of Design, and the Slater Mill Historic Site in Pawtucket.

The legislation we are introducing today is based on the testimony we heard at an April 10 hearing of the Health, Education, Labor, and Pensions Committee, which I chaired, as well as proposals that the museum and library communities each crafted using a cooperative and collaborative process. We are grateful for their efforts to come together on proposals so the law meets the future needs of museum and library users.

The Museum and Library Services Act of 2002, which extends the authorization of museum and library services for six years, makes several important modifications to current law. The bill ensures that library activities are coordinated with the school library program I authored and contained within the No Child Left Behind Act of 2001. It establishes a Museum and Library Services Board to advise the Director of IMLS, and it authorizes IMLS to award a National Award for Library Service as well as a National Award for Museum Service. The bill also ensures a portion of administrative funds are used to analyze annually the impact of museum and library services to identify needs and trends of services provided under museum and library programs, and it establishes a reservation of 1.75 percent of funds for museum services for Native Americans (a similar reservation is currently provided for library services under the Library Services and Technology subtitle). Lastly, the bill updates the uses of funds for library and museum programs, and it increases the authorization of LSTA from $150 million to $350 million and Museum Services from $28.7 million to $65 million.

I want to specifically highlight one other provision in the legislation. The Museum and Library Services Act of 2002 doubles the minimum State allotment under the Library Services and Technology Act to $680,000. The minimum State allotment has remained flat at $340,000 since 1971, hampering the literacy and cultural efforts of our Nation's smaller states. An analysis prepared by the staff of the Joint Economic Committee shows that it would take $1.5 million for our small States to keep pace with inflation. The library community has instead suggested a modest, but essential doubling of the minimum State allotment to $680,000. This will enable every State to benefit and implement the valuable services and programs that larger States have been able to put in place. We heard about the importance of this change from David Macksam, Director of the Cranston Public Library, during the April 10 hearing. I will be fighting to retain this provision as we work with the House to put this legislation on the President's desk for his signature.

The House Committee on Education and the Workforce has already taken action on a reauthorization bill. Last year, during the reauthorization of the Elementary and Secondary Education Act (ESEA), I was pleased to work with Senator COLLINS, Chairman KENNEDY, and others to secure funding for school libraries for the first time in twenty years. I hope we can also move forward on a similar bipartisan basis on a swift reauthorization of the Museum and Library Services Act.

I urge my colleagues to cosponsor this important legislation and work for its passage.

I ask unanimous consent that the text of this legislation be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2611

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 ''Museum and Library Services Act of 2002''.

TITLE I—GENERAL PROVISIONS

SEC. 101. GENERAL DEFINITIONS.

Section 202 of the Museum and Library Services Act (20 U.S.C. 9101) is amended—

(1) by striking paragraphs (1) and (4);

(2) by redesignating paragraph (2) as paragraph (1);

(3) by inserting after paragraph (1), as redesignated by paragraph (2) of this section, the following:

''(2) INDIAN TRIBE.—The term 'Indian tribe' means any tribe, band, nation, or other organized group or community, including any Alaska native village, regional corporation, or village corporation, as defined in or established pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.), which is recognized by the Secretary of the Interior as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.''; and

(4) by adding at the end the following:

''(4) MUSEUM AND LIBRARY SERVICES BOARD.—The term 'Museum and Library Services Board' means the National Museum and Library Services Board established under section 207.''.

SEC. 102. INSTITUTE OF MUSEUM AND LIBRARY SERVICES.

Section 203 of the Museum and Library Services Act (20 U.S.C. 9102) is amended—

(1) in subsection (b), by striking the last sentence; and

(2) by adding at the end the following:

''(c) MUSEUM AND LIBRARY SERVICES BOARD.—There shall be a National Museum and Library Services Board within the Institute, as provided under section 207.''.

SEC. 103. DIRECTOR OF THE INSTITUTE.

Section 204 of the Museum and Library Services Act (20 U.S.C. 9103) is amended—

(1) in subsection (e), by adding at the end the following: ''Where appropriate, the Director shall ensure that activities under subtitle B are coordinated with activities under section 1251 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6383).''; and

(2) by adding at the end the following:

''(f) REGULATORY AUTHORITY.—The Director may promulgate such rules and regulations as are necessary and appropriate to implement the provisions of this title.''.

SEC. 104. NATIONAL MUSEUM AND LIBRARY SERVICES BOARD.

The Museum and Library Services Act (20 U.S.C. 9101 et seq.) is amended—

(1) by redesignating section 207 as section 208; and

(2) by inserting after section 206 the following:

''SEC. 207. NATIONAL MUSEUM AND LIBRARY SERVICES BOARD.

''(a) ESTABLISHMENT.—There is established in the Institute a board to be known as the 'National Museum and Library Services Board'.

''(b) MEMBERSHIP.—

''(1) NUMBER AND APPOINTMENT.—The Museum and Library Services Board shall be composed of the following:

''(A) The Director.

''(B) The Deputy Director for the Office of Library Services.

''(C) The Deputy Director for the Office of Museum Services.

''(D) The Chairman of the National Commission on Libraries and Information Science.

''(E) 10 members appointed by the President, by and with the advice and consent of the Senate, from among individuals who are citizens of the United States and who are specially qualified in the area of library services by virtue of their education, training, or experience.

''(F) 11 members appointed by the President, by and with the advice and consent of the Senate, from among individuals who are citizens of the United States and who are specially qualified in the area of museum services by virtue of their education, training, or experience.

''(2) SPECIAL QUALIFICATIONS.—

''(A) LIBRARY MEMBERS.—Of the members of the Museum and Library Services Board appointed under paragraph (1)(E)—

''(i) 5 shall be professional librarians or information specialists, of whom—

''(I) at least 1 shall be knowledgeable about electronic information and technical aspects of library and information services and sciences; and

''(II) and at least 1 other shall be knowledgeable about the library and information service needs of underserved communities; and

''(ii) the remainder shall have special competence in, or knowledge of, the needs for library and information services in the United States.

''(B) MUSEUM MEMBERS.—Of the members of the Museum and Library Services Board appointed under paragraph (1)(F)—

''(i) 5 shall be museum professionals who are or have been affiliated with—

''(I) resources that, collectively, are broadly representative of the curatorial, conservation, educational, and cultural resources of the United States; or

''(II) museums that, collectively, are broadly representative of various types of museums, including museums relating to science, history, technology, art, zoos, botanical gardens, and museums designed for children; and

''(ii) the remainder shall be individuals recognized for their broad knowledge, expertise, or experience in museums or commitment to museums.

''(3) GEOGRAPHIC AND OTHER REPRESENTATION.—Members of the Museum and Library Services Board shall be appointed to reflect persons from various geographic regions of the United States. The Museum and Library Services Board may not include, at any time, more than 3 appointive members from a single State. In making such appointments, the President shall give due regard to equitable representation of women, minorities, and persons with disabilities who are involved with museums and libraries.

''(4) VOTING.—The Director, the Deputy Director of the Office of Library Services, and the Deputy Director of the Office of Museum Services shall be nonvoting members of the Museum and Library Services Board.

''(c) TERMS.—

''(1) IN GENERAL.—Except as otherwise provided in this subsection, each member of the Museum and Library Services Board appointed under subparagraph (E) or (F) of subsection (b)(1) shall serve for a term of 5 years.

''(2) INITIAL BOARD APPOINTMENTS.—

''(A) TREATMENT OF MEMBERS SERVING ON EFFECTIVE DATE.—Notwithstanding subsection (b), each individual who is a member of the National Museum Services Board on October 1, 2002, may, at the individual's election, complete the balance of the individual's term as a member of the Museum and Library Services Board.

''(B) FIRST APPOINTMENTS.—Notwithstanding subsection (b), any appointive vacancy in the initial membership of the Museum and Library Services Board existing after the application of subparagraph (A), and any vacancy in such membership subsequently created by reason of the expiration of the term of an individual described in subparagraph (A), shall be filled by the appointment of a member described in subsection (b)(1)(E). When the Museum and Library Services Board consists of an equal number of individuals who are specially qualified in the area of library services and individuals who are specially qualified in the area of museum services, this subparagraph shall cease to be effective and the members of the Museum and Library Services Board shall be appointed in accordance with subsection (b).

''(C) AUTHORITY TO ADJUST TERMS.—The terms of the first members appointed to the Museum and Library Services Board shall be adjusted by the President as necessary to ensure that the terms of not more than 4 members expire in the same year. Such adjustments shall be carried out through designation of the adjusted term at the time of appointment.

''(3) VACANCIES.—Any member appointed to fill a vacancy shall serve for the remainder of the term for which the predecessor of the member was appointed.

''(4) REAPPOINTMENT.—No appointive member of the Museum and Library Services Board who has been a member for more than 7 consecutive years shall be eligible for reappointment.

''(5) SERVICE UNTIL SUCCESSOR TAKES OFFICE.—Notwithstanding any other provision of this subsection, an appointive member of the Museum and Library Services Board shall serve after the expiration of the term of the member until the successor to the member takes office.

''(d) DUTIES AND POWERS.—

''(1) IN GENERAL.—The Museum and Library Services Board shall advise the Director on general policies with respect to the duties, powers, and authority of the Institute relating to museum and library services, including financial assistance awarded under this title.

''(2) NATIONAL AWARDS.—The Museum and Library Services Board shall assist the Director in making awards under section 209.

''(e) CHAIRPERSON.—The Director shall serve as Chairperson of the Museum and Library Services Board.

''(f) MEETINGS.—

''(1) IN GENERAL.—The Museum and Library Services Board shall meet not less than 2 times each year and at the call of the Director.

''(2) VOTE.—All decisions by the Museum and Library Services Board with respect to the exercise of its duties and powers shall be made by a majority vote of the members of the Board who are present and authorized to vote.

''(g) QUORUM.—A majority of the voting members of the Museum and Library Services Board shall constitute a quorum for the conduct of business at official meetings, but a lesser number of members may hold hearings.

''(h) COMPENSATION AND TRAVEL EXPENSES.—

''(1) COMPENSATION.—Each member of the Museum and Library Services Board who is not an officer or employee of the Federal Government may be compensated at a rate to be fixed by the President, but not to exceed the daily equivalent of the maximum annual rate of pay authorized for a position above grade GS–15 of the General Schedule under section 5108 of title 5, United States Code, for each day (including travel time) during which such member is engaged in the performance of the duties of the Museum and Library Services Board. Members of the Museum and Libraries Services Board who are full-time officers or employees of the Federal Government may not receive additional pay, allowances, or benefits by reason of their service on the Board.

''(2) TRAVEL EXPENSES.—Each member of the Museum and Library Services Board shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.

''(i) COORDINATION.—The Director, with the advice of the Museum and Library Services Board, shall take steps to ensure that the policies and activities of the Institute are coordinated with other activities of the Federal Government.''.

SEC. 105. AWARDS; ANALYSIS OF IMPACT OF SERVICES.

The Museum and Library Services Act (20 U.S.C. 9101 et seq.) is amended by inserting after section 208 (as redesignated by section 104 of this Act) the following:

''SEC. 209. AWARDS.

''The Director, with the advice of the Museum and Library Services Board, may annually award National Awards for Library Service and National Awards for Museum Service to outstanding libraries and outstanding museums, respectively, that have made significant contributions in service to their communities.

''SEC. 210. ANALYSIS OF IMPACT OF MUSEUM AND LIBRARY SERVICES.

''From amounts described in sections 214(c) and 274(b), the Director shall carry out and publish analyses of the impact of museum and library services. Such analyses—

''(1) shall be conducted in ongoing consultation with—

''(A) State library administrative agencies;

''(B) State, regional, and national library and museum organizations; and

''(C) other relevant agencies and organizations;

''(2) shall identify national needs for, and trends of, museum and library services provided with funds made available under subtitles B and C;

''(3) shall report on the impact and effectiveness of programs conducted with funds made available by the Institute in addressing such needs; and

''(4) shall identify, and disseminate information on, the best practices of such programs to the agencies and entities described in paragraph (1).''.

TITLE II—LIBRARY SERVICES AND TECHNOLOGY

SEC. 201. PURPOSE.

Section 212 of the Library Services and Technology Act (20 U.S.C. 9121) is amended by striking paragraphs (2) through (5) and inserting the following:

''(2) to promote improvement in library services in all types of libraries in order to better serve the people of the United States;

''(3) to facilitate access to resources in all types of libraries for the purpose of cultivating an educated and informed citizenry; and

''(4) to encourage resource sharing among all types of libraries for the purpose of achieving economical and efficient delivery of library services to the public.''.

SEC. 202. DEFINITIONS.

Section 213 of the Library Services and Technology Act (20 U.S.C. 9122) is amended—

(1) by striking paragraph (1); and

(2) by redesignating paragraphs (2), (3), (4), (5), and (6) as paragraphs (1), (2), (3), (4), and (5), respectively.

SEC. 203. AUTHORIZATION OF APPROPRIATIONS.

Section 214 of the Library Services and Technology Act (20 U.S.C. 9123) is amended—

(1) by amending subsection (a) to read as follows:

''(a) IN GENERAL.—There are authorized to be appropriated to carry out this subtitle $350,000,000 for fiscal year 2003 and such sums as may be necessary for fiscal years 2004 through 2008.''; and

(2) in subsection (c), by striking ''3 percent'' and inserting ''3.5 percent''.

SEC. 204. RESERVATIONS AND ALLOTMENTS.

Section 221(b)(3) of the Library Services and Technology Act (20 U.S.C. 9131(b)(3)) is amended to read as follows:

''(3) MINIMUM ALLOTMENTS.—

''(A) IN GENERAL.—For purposes of this subsection, the minimum allotment for each State shall be $340,000, except that the minimum allotment shall be $40,000 in the case of the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau.

''(B) RATABLE REDUCTIONS.—Notwithstanding subparagraph (A), if the sum appropriated under the authority of section 214 and not reserved under subsection (a) for any fiscal year is insufficient to fully satisfy the requirement of subparagraph (A), each of the minimum allotments under such subparagraph shall be reduced ratably.

''(C) EXCEPTION.—

''(i) IN GENERAL.—Notwithstanding subparagraph (A), if the sum appropriated under the authority of section 214 and not reserved under subsection (a) for any fiscal year exceeds the aggregate of the allotments for all States under this subsection for fiscal year 2002—

''(I) the minimum allotment for each State otherwise receiving a minimum allotment of $340,000 under subparagraph (A) shall be increased to $680,000; and

''(II) the minimum allotment for each State otherwise receiving a minimum allotment of $40,000 under subparagraph (A) shall be increased to $60,000.

''(ii) INSUFFICIENT FUNDS TO AWARD ALTERNATIVE MINIMUM.—If the sum appropriated under the authority of section 214 and not reserved under subsection (a) for any fiscal year exceeds the aggregate of the allotments for all States under this subsection for fiscal year 2002 yet is insufficient to fully satisfy the requirement of clause (i), such excess amount shall first be allotted among the States described in clause (i)(I) so as to increase equally the minimum allotment for each such State above $340,000. After the requirement of clause (i)(I) is fully satisfied for any fiscal year, any remainder of such excess amount shall be allotted among the States described in clause (i)(II) so as to increase equally the minimum allotment for each such State above $40,000.

''(D) SPECIAL RULE.—

''(i) IN GENERAL.—Notwithstanding any other provision of this subsection and using funds allotted for the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau under this subsection, the Director shall award grants to the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Republic of the Marshall Islands, the Federated States of Micronesia, or the Republic of Palau to carry out activities described in this subtitle in accordance with the provisions of this subtitle that the Director determines are not inconsistent with this subparagraph.

''(ii) AWARD BASIS.—The Director shall award grants pursuant to clause (i) on a competitive basis and pursuant to recommendations from the Pacific Region Educational Laboratory in Honolulu, Hawaii.

''(iii) ADMINISTRATIVE COSTS.—The Director may provide not more than 5 percent of the funds made available for grants under this subparagraph to pay the administrative costs of the Pacific Region Educational Laboratory regarding activities assisted under this subparagraph.''.

SEC. 205. STATE PLANS.

Section 224 of the Library Services and Technology Act (20 U.S.C. 9134) is amended—

(1) in subsection (a)(1), by striking ''not later than April 1, 1997.'' and inserting ''once every 5 years, as determined by the Director.''; and

(2) in subsection (f)—

(A) by striking ''this Act'' each place such term appears and inserting ''this subtitle'';

(B) in paragraph (1)—

(i) by striking ''1934,'' and all that follows through ''Act, may'' and inserting ''1934 (47 U.S.C. 254(h)(6)) may''; and

(ii) by striking ''section 213(2)(A) or (B)'' and inserting ''section 213(1)(A) or (B)''; and

(C) in paragraph (7)—

(i) in the matter preceding subparagraph (A), by striking ''section:'' and inserting ''subsection:''; and

(ii) in subparagraph (D), by striking ''given'' and inserting ''applicable to''.

SEC. 206. GRANTS TO STATES.

Section 231 of the Library Services and Technology Act (20 U.S.C. 9141) is amended—

(1) in subsection (a), by striking paragraphs (1) and (2) and inserting the following:

''(1) expanding services for learning and access to information and educational resources in a variety of formats, in all types of libraries, for individuals of all ages;

''(2) developing library services that provide all users access to information through local, State, regional, national, and international electronic networks;

''(3) providing electronic and other linkages among and between all types of libraries;

''(4) developing public and private partnerships with other agencies and community-based organizations;

''(5) targeting library services to individuals of diverse geographic, cultural, and socioeconomic backgrounds, to individuals with disabilities, and to individuals with limited functional literacy or information skills; and

''(6) targeting library and information services to persons having difficulty using a library and to underserved urban and rural communities, including children (from birth through age 17) from families with incomes below the poverty line (as defined by the Office of Management and Budget and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) applicable to a family of the size involved.''; and

(2) in subsection (b), by striking ''between the two purposes described in paragraphs (1) and (2) of such subsection,'' and inserting ''among such purposes,''.

SEC. 207. NATIONAL LEADERSHIP GRANTS, CONTRACTS, OR COOPERATIVE AGREEMENTS.

Section 262(a)(1) of the Library Services and Technology Act (20 U.S.C. 9162(a)(1)) is amended by striking ''education and training'' and inserting ''education, recruitment, and training''.

TITLE III—MUSEUM SERVICES

SEC. 300. SHORT TITLE.

Subtitle C of the Museum and Library Services Act (20 U.S.C. 9171 et seq.) is amended by inserting before section 271 the following:

''SEC. 270. SHORT TITLE.

''This subtitle may be cited as the 'Museum Services Act'.''.

SEC. 301. PURPOSE.

Section 271 of the Museum and Library Services Act (20 U.S.C. 9171) is amended to read as follows:

''SEC. 271. PURPOSE.

''It is the purpose of this subtitle—

''(1) to encourage and support museums in carrying out their public service role of connecting the whole of society to the cultural, artistic, historical, natural, and scientific understandings that constitute our heritage;

''(2) to encourage and support museums in carrying out their educational role, as core providers of learning and in conjunction with schools, families, and communities;

''(3) to encourage leadership, innovation, and applications of the most current technologies and practices to enhance museum services;

''(4) to assist, encourage, and support museums in carrying out their stewardship responsibilities to achieve the highest standards in conservation and care of the cultural, historic, natural, and scientific heritage of the United States to benefit future generations;

''(5) to assist, encourage, and support museums in achieving the highest standards of management and service to the public, and to ease the financial burden borne by museums as a result of their increasing use by the public; and

''(6) to support resource sharing and partnerships among museums, libraries, schools, and other community organizations.''.

SEC. 302. DEFINITIONS.

Section 272(1) of the Museum and Library Services Act (20 U.S.C. 9172(1)) is amended by adding at the end the following: ''Such term includes aquariums, arboretums, botanical gardens, art museums, children's museums, general museums, historic houses and sites, history museums, nature centers, natural history and anthropology museums, planetariums, science and technology centers, specialized museums, and zoological parks.''.

SEC. 303. MUSEUM SERVICES ACTIVITIES.

Section 273 of the Museum and Library Services Act (20 U.S.C. 9173) is amended to read as follows:

''SEC. 273. MUSEUM SERVICES ACTIVITIES.

''(a) IN GENERAL.—The Director, subject to the policy advice of the Museum and Library Services Board, may enter into arrangements, including grants, contracts, cooperative agreements, and other forms of assistance to museums and other entities as the Director considers appropriate, to pay for the Federal share of the cost—

''(1) to support museums in providing learning and access to collections, information, and educational resources in a variety of formats (including exhibitions, programs, publications, and websites) for individuals of all ages;

''(2) to support museums in building learning partnerships with the Nation's schools and developing museum resources and programs in support of State and local school curricula;

''(3) to support museums in assessing, conserving, researching, maintaining, and exhibiting their collections, and in providing educational programs to the public through the use of their collections;

''(4) to stimulate greater collaboration among museums, libraries, schools, and other community organizations in order to share resources and strengthen communities;

''(5) to encourage the use of new technologies and broadcast media to enhance access to museum collections, programs, and services;

''(6) to support museums in providing services to people of diverse geographic, cultural, and socioeconomic backgrounds and to individuals with disabilities;

''(7) to support museums in developing and carrying out specialized programs for specific segments of the public, such as programs for urban neighborhoods, rural areas, Indian reservations, and State institutions;

''(8) to support professional development and technical assistance programs to enhance museum operations at all levels, in order to ensure the highest standards in all aspects of museum operations;

''(9) to support museums in research, program evaluation, and the collection and dissemination of information to museum professionals and the public; and

''(10) to encourage, support, and disseminate model programs of museum and library collaboration.

''(b) FEDERAL SHARE.—

''(1) 50 PERCENT.—Except as provided in paragraph (2), the Federal share described in subsection (a) shall be not more than 50 percent.

''(2) GREATER THAN 50 PERCENT.—The Director may use not more than 20 percent of the funds made available under this subtitle for a fiscal year to enter into arrangements under subsection (a) for which the Federal share may be greater than 50 percent.

''(3) OPERATIONAL EXPENSES.—No funds for operational expenses may be provided under this section to any entity that is not a museum.

''(c) REVIEW AND EVALUATION.—The Director shall establish procedures for reviewing and evaluating arrangements described in subsection (a) entered into under this subtitle. Procedures for reviewing such arrangements shall not be subject to any review outside of the Institute.

''(d) SERVICES FOR NATIVE AMERICANS.—From amounts appropriated under section 274, the Director shall reserve 1.75 percent to award grants to, or enter into contracts or cooperative agreements with, Indian tribes and to organizations that primarily serve and represent Native Hawaiians (as defined in section 7207 of the Native Hawaiian Education Act (20 U.S.C. 7517)) to enable such tribes and organizations to carry out the activities described in subsection (a).''.

SEC. 304. REPEALS.

Sections 274 and 275 of the Museum and Library Services Act (20 U.S.C. 9174 and 9175) are repealed.

SEC. 305. AUTHORIZATION OF APPROPRIATIONS.

Section 276 of the Museum and Library Services Act (20 U.S.C. 9176)—

(1) is redesignated as section 274 of such Act; and

(2) is amended, in subsection (a), by striking ''$28,700,000 for the fiscal year 1997, and such sums as may be necessary for each of the fiscal years 1998 through 2002.'' and inserting ''$65,000,000 for fiscal year 2003 and such sums as may be necessary for fiscal years 2004 through 2008.''.

TITLE IV—NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE ACT

SEC. 401. AMENDMENT TO CONTRIBUTIONS.

Section 4 of the National Commission on Libraries and Information Science Act (20 U.S.C. 1503) is amended by striking ''accept, hold, administer, and utilize gifts, bequests, and devises of property,'' and inserting ''solicit, accept, hold, administer, invest in the name of the United States, and utilize gifts, bequests, and devises of services or property,''.

SEC. 402. AMENDMENT TO MEMBERSHIP.

Section 6(a) of the National Commission on Libraries and Information Science Act (20 U.S.C. 1505(a)) is amended—

(1) in the second sentence, by striking ''and at least one other of whom shall be knowledgeable with respect to the library and information service and science needs of the elderly'';

(2) by amending the fourth sentence to read as follows: ''A majority of members of the Commission who have taken office and are serving on the Commission shall constitute a quorum for conduct of business at official meetings of the Commission''; and

(3) in the fifth sentence, by striking ''five years, except that'' and all that follows through the period and inserting ''five years, except that—

''(1) a member of the Commission appointed to fill a vacancy occurring prior to the expiration of the term for which the member's predecessor was appointed, shall be appointed only for the remainder of such term; and

''(2) any member of the Commission may continue to serve after an expiration of the member's term of office until such member's successor is appointed, has taken office, and is serving on the Commission.''.

TITLE V—TECHNICAL CORRECTIONS; CONFORMING AMENDMENT; REPEALS; EFFECTIVE DATE

SEC. 501. TECHNICAL CORRECTIONS.

(a) TITLE HEADING.—The title heading for the Museum and Library Services Act (20 U.S.C. 9101 et seq.) is amended to read as follows:

''TITLE II—MUSEUM AND LIBRARY SERVICES''.

(b) SUBTITLE A HEADING.—The subtitle heading for subtitle A of the Museum and Library Services Act (20 U.S.C. 9101 et seq.) is amended to read as follows:

''Subtitle A—General Provisions''.

(c) SUBTITLE B HEADING.—The subtitle heading for subtitle B of the Museum and Library Services Act (20 U.S.C. 9121 et seq.) is amended to read as follows:

''Subtitle B—Library Services and Technology''.

(d) SUBTITLE C HEADING.—The subtitle heading for subtitle C of the Museum and Library Services Act (20 U.S.C. 9171 et seq.) is amended to read as follows:

''Subtitle C—Museum Services''.

(e) CONTRIBUTIONS.—Section 208 of the Museum and Library Services Act (20 U.S.C. 9106) (as redesignated by section 104 of this Act) is amended by striking ''property of services'' and inserting ''property or services''.

(f) STATE PLAN CONTENTS.—Section 224(b)(5) of the Library Services and Technology Act (20 U.S.C. 9134(b)(5)) is amended by striking ''and'' at the end.

(g) NATIONAL LEADERSHIP GRANTS, CONTRACTS, OR COOPERATIVE AGREEMENTS.—Section 262(b)(1) of the Library Services and Technology Act (20 U.S.C. 9162(b)(1)) is amended by striking ''cooperative agreements, with,'' and inserting ''cooperative agreements with,''.

SEC. 502. CONFORMING AMENDMENT.

Section 170(e)(6)(B)(i)(III) of the Internal Revenue Code of 1986 (relating to the special rule for contributions of computer technology and equipment for educational purposes) is amended by striking ''section 213(2)(A) of the Library Services and Technology Act (20 U.S.C. 9122(2)(A)'' and inserting ''section 213(1)(A) of the Library Services and Technology Act (20 U.S.C. 9122(1)(A))''.

SEC. 503. REPEALS.

(a) NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE ACT.—Section 5 of the National Commission on Libraries and Information Science Act (20 U.S.C. 1504) is amended by striking subsections (b) and (c) and redesignating subsections (d), (e), and (f) as subsections (b), (c), and (d), respectively.

(b) MUSEUM AND LIBRARY SERVICES ACT OF 1996.—Sections 704 through 707 of the Museum and Library Services Act of 1996 (20 U.S.C. 9102 note, 9103 note, and 9105 note) are repealed.

SEC. 504. EFFECTIVE DATE.

The amendments made by this Act shall take effect on October 1, 2002.

By Mr. REID (for himself and Mr. ENSIGN):

S. 2612. A bill to establish wilderness areas, promote conservation, improve public land and provide for high quality development in Clark County, Nevada, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. REID. Mr. President, today I rise with my good friend Senator ENSIGN to introduce a bill that is important to Las Vegas, important to Clark County, important to Nevada, and important to America. The Clark County Conservation of Public Land and Natural Resources Act of 2002, known as the Clark County Conservation PLAN, provides a solution for southern Nevada's growth and conservation challenges.

The Clark County Conservation PLAN balances the needs for infrastructure development, recreational opportunities, and conservation of our precious natural resources in southern Nevada.

Our bill is a broad-based compromise. We do not expect everyone to advocate every provision of this bill. Indeed, we know that many people will oppose various components of our legislation. The complaints we receive will reflect the tendency for people to fear change, protect the status quo, and miss the forest for the trees in this case, the Joshua trees.

Before I discuss each title of the Clark County Conservation PLAN, I will take a few moments to describe the profound challenge that public land issues pose for Nevada. 87 percent of the land in Nevada, that is nearly 9 out of every 10 acres in our State, is owned and managed by the Federal Government. This includes land managed by the U.S. Forest Service, the Bureau of Reclamation, the Bureau of Land Management, the Department of Energy, the National Park Service, the Fish and Wildlife Service, the U.S. Army, the U.S. Navy, and the U.S. Air Force.

The Secretaries of Interior, Agriculture, Defense and Energy bear tremendous responsibilities for the management, development, and conservation of natural resources in Nevada. Unlike most of America where land use decisions are made by communities, in Nevada, many land use decisions require concurrence of Federal officials and, in some cases, the passage of Federal laws. This is a circumstance that very few Senators understand from experience, but I know that my colleagues can imagine the tremendous challenge inherent in this system regardless of the State they represent.

The challenge of Federal land ownership is not unique to Nevada, in fact it characterizes much of the West. However, this situation is compounded in Clark County where the fastest growing population in America springs from the heart of one of the most extreme and fragile regions in North America, the Mojave Desert.

Many people believe that this scenario embodies an impossible challenge. Some believe that guiding growth in Southern Nevada and protecting our desert for future generations are mutually exclusive. Some believe that protecting our air and water quality and setting aside some open space as wilderness are overly costly barriers to growth that unnecessarily restrict recreation and development. Some believe that the Federal Government's management of public land is too strict; others believe it is too lenient. Some believe that every acre of Clark County should be privatized. Some believe that not a single acre more should be auctioned from the public domain. As different as these views are, what they have in common is that they are passionately held by Nevadans.

By describing the fundamental context within which Senator ENSIGN and I are working, I hope I have demonstrated why compromise is not just necessary but warranted. We fully expect to be criticized for what this bill is not, for example it does not designate all of the 2 million acres in Clark County that the Nevada Wilderness Coalition advocates nor does it release all the wilderness study areas in Nevada as others advocate. We do not need to apologize for this compromise, rather we will advocate for what it is, a fair-minded, forward-looking framework for the future development and protection of public land in Clark County.

The Clark County Conservation PLAN reflects three complementary goals: 1. Enhancing our quality of life; 2. Protecting our environment for our children and grandchildren; and 3. Making public land available for quality development consistent with these two principles.

The remainder of my statement today will explain how the Clark County Conservation PLAN will improve the quality of life and enhance economic opportunities for Nevadans while enriching and protecting the awe-inspiring natural resources that bless southern Nevada for the benefit of future generations of Nevadans and all Americans.

When Congress passed the Southern Nevada Public Lands Management Act in 1998, we made the decision that it was in the public interest to transition away from Federal-private land exchanges and competitively auction those parcels of land deemed by the BLM to be disposable. This decision has proven to be quite effective and fair and likely represents the future of land privatization in Nevada and the West. However, at the time the law was enacted, Congress did contemplate that a limited number of ongoing land exchanges would be completed. One of these exchanges is familiarly known as the Red Rock Canyon Howard Hughes exchange. This exchange would be completed by Title I of the Clark County Conservation PLAN.

In the Red Rock Exchange, the Bureau of Land Management will acquire roughly 1,070 acres of land owned by the Howard Hughes Corporation. This land forms promontories above the gently-sloping bajada in the foothills of the La Madre Mountains on the western border of the Red Rock Canyon National Conservation Area. This acreage affords spectacular views of the Las Vegas Valley but development there would degrade the Red Rock NCA and diminish the beauty of the view from Las Vegas to the west, a view many Las Vegans treasure.

This bill provides that the lands I have described will become part of the Red Rock NCA once acquired by the federal government. In exchange for the Red Rock lands, the Howard Hughes Corporation will receive acreage of equal value, as determined by a government-certified appraiser, within the Las Vegas Valley. Finally, the Howard Hughes Corporation will convey some of their acquired acreage to Clark County for use as a county park and for inclusion in a regional trail system. As I mentioned earlier, this proposal has been around for a number of years and enjoys unusually broad support ranging from the County to the environmental community. The time when this exchange should have reached completion through the administrative process has long since passed and a legislative resolution is now in order.

Nevada has nearly 100 wilderness study areas on Federal land across the State. These areas, which are primarily owned by the Bureau of Land Management, are managed to protect wilderness character of the lands under current law. These areas remain as de facto wilderness until Congress passes a bill changing wilderness study status by either designating the land as wilderness or releasing the land from wilderness study area consideration.

Although there is broad support for addressing Nevada's wilderness study areas through federal legislation, there is no consensus regarding how to do so. Those who advocate for wilderness designation and those who oppose further additions to the wilderness system hold strong and, in many cases, irreconcilable views on this issue.

Those of us who wrote this bill likewise hold different views regarding wilderness. In developing the wilderness component of this bill, Senator ENSIGN, Congressman GIBBONS and I made compromises that will likely cause heartburn for all interested parties. We believe, however, that this is a critical step toward addressing the outstanding wilderness study issues in the state of Nevada. Our bill designates wilderness and releases wilderness study areas. It creates 20 wilderness areas: 6 managed by the BLM; 4 jointly managed by the Park Service and BLM; 7 managed by the Park Service; and 3 jointly managed by the BLM and the Forest Service

In addition to the wilderness described earlier, our bill releases from wilderness study area status acreage associated with each of the BLM and forest service areas we address. In fact, we release three BLM study areas in their entirety. Two of these areas will eventually accommodate growth at the north end of the Las Vegas Valley and help provide jobs for decades into the future. These lands might be conservatively valued at about $1 billion.

We have provided for wilderness management protocols that address the particular circumstances of southern Nevada. For example, we explicitly require the Secretary of the Interior to allow for the construction, maintenance and replacement of water catchments known as guzzlers when and where that action will enhance wilderness wildlife resources. In addition, we believe that the use of motor vehicles should be allowed to achieve these purposes when there is no reasonable alternative and it does not require the creation of new roads.

Some wilderness purists argue that these man-made guzzler tanks disturb the naturally functioning ecosystems of the Mojave Desert. I respect this view, but I believe that these water projects actually help restore more natural function to ecosystems that have been forever fragmented by development including roads. These projects which are privately funded by dedicated sportsmen have a legitimate place in southern Nevada wilderness and this bill is clear on that point.

In our effort to create a fair wilderness designation, we have benefitted from the advice and suggestions of many Nevadans representing a range of views. These advocates include the Nevada Land Users Coalition, The Sierra Club, The Virgin Valley Sportsmen's Association, The Nevada Wilderness Project, The Fraternity of Desert Bighorns, the Nevada Mining Association, Red Rock Audubon, and Partners in Conservation, to name just a few. We appreciate their help and believe that this compromise honors our commitment to listen carefully to all parties. We are also grateful for the help we have received from the Federal land managers in Clark County and look forward to working with them to improve this bill to help make their jobs easier and the public experience on public land better.

Early in the development of this bill we decided not to address wilderness issues within the Desert National Wildlife Range. I recognize that this is a major disappointment to many in the environmental community who view the wilderness resources in the Range as some of the best in the Mojave Desert. Wilderness in the Range is, however, beyond the scope of this bill.

The Clark County Conservation PLAN does transfer the management responsibility of three wilderness study areas, totaling more than 49,000 acres, from the Bureau of Land Management to the Fish and Wildlife Service. These areas lie between State Highway 93 and the Range so this transfer helps rationalize the federal land ownership pattern in northern Clark County.

In addition, this bill transfers a small parcel of land from the Bureau of Land Management to the National Park Service for use as an administrative site on the road between Searchlight and Cottonwood Cove. This transfer will save taxpayer dollars by allowing the Park Service to consolidate two planned administrative sites into one and manage the Lake Mead National Recreation Area more effectively.

When Congress passed the Southern Nevada Public Lands Management Act of 1998, it established a new paradigm for the sale of public lands in Clark County, Nevada. One of the core principles of this new way of doing business was that the proceeds from the sale of Federal lands should be reinvested in federal, state, and local environmental protection and recreational enhancements in the state in which the lands are sold.

The Clark County Conservation PLAN Act modifies the Southern Nevada Public Lands Management Act and expands the so-called Las Vegas valley disposal boundary. This expansion will make an additional 25,000 acres of BLM land available for auction and development years into the future. The proceeds from the sale of this Federal land will continue to accrue to the Southern Nevada Public Lands Special Account and be invested in the purchase of environmentally sensitive land, the development of Federal land infrastructure, the implementation of the Clark County Multi-Species Habitat Conservation Plan, and local government open space, recreation and conservation projects. Our bill further provides that at least one-quarter of the Special Account be dedicated to the last of these purposes.

One of the most important infrastructure issues facing southern Nevada is siting a new international airport. The County's preferred and likely site is in a dry lake bed between Jean and Primm, Nevada south of the Las Vegas Valley in the Interstate 15 transportation corridor near the California border. Congress made federal land at that site available for use as an airport, pending environmental reviews.

The Clark County Conservation PLAN complements that law in two important ways. First, our bill conveys federal land adjacent to the proposed airport to the Clark County Airport Authority so that it can promote compatible development within the area impacted by the noise of the airport. Any proceeds derived from sale of these Airport Authority lands would be distributed similarly to lands sold within the Las Vegas Valley Disposal Boundary.

Second, our bill directs the Bureau of Land Management to reserve a right-of-way for non-exclusive utility and transportation corridors between the Las Vegas valley and the proposed airport. This corridor is important because for the new airport to remain economical will require significant utility development to come from the north. Our bill does not dictate exactly where, when, how, or by whom this infrastructure will be developed; it simply reserves land explicitly to serve this purpose.

One of the most precious areas in southern Nevada is a relatively nondescript canyon near Henderson. It is an area graced with hundreds of wonderful and curious petroglyphs. Under ordinary circumstances, I would not reveal the location of this site because public knowledge of prehistoric rock art sites commonly leads to their destruction. In this case, however, this canyon is in desperate need of protection because it is within a short walk of the Las Vegas valley. Similar resources elsewhere in the desert Southwest have been destroyed by urban growth and lack of intensive management.

The Clark County Conservation PLAN designates the Sloan petroglyphs site and the area that comprises most of its watershed as the North McCullough Mountains Wilderness. This wilderness combined with about 32,000 acres of open space comprises the proposed Sloan Canyon National Conservation Area. The NCA and wilderness will provide critical protection for the Sloan petroglyphs, preserve open space near Henderson's rapidly growing neighborhoods and together represent a legacy of cultural and natural resource conservation our grandchildren will value dearly one day.

The sheer number of public lands bill requests Senator ENSIGN and I receive is staggering. If we chose to introduce stand-alone legislation to address each legitimate issue that constituents bring to our attention, we would create an awkward patchwork of new Federal laws. In the Clark County Conservation PLAN, we have attempted to provide a comprehensive vision and framework for conservation and development in southern Nevada by balancing competing interests.

The final title of our bill includes a select few of the many important public interest land conveyances. For example, we include two land grants to further the higher education mission of Nevada's university system. One provides land to the UNLV research foundation for the development of a technology park. The other provides land for the planned Henderson State College.

We convey a small active shooting range to the Las Vegas Metropolitan Police Department for training purposes. We grant a modest parcel of land to the City of Las Vegas for the development of affordable housing. We provide for the conveyance of the Sunrise Landfill from the Bureau of Land Management to Clark County pending completion of the environmental clean-up at the site. We convey park and open space land to the City of Henderson and provide for a cooperatively managed zone comprised of federal land around Henderson Executive airport. These are relatively small but important actions that help our communities, law enforcement, and educational system better serve southern Nevada.

The Clark County Conservation PLAN Act that Senator ENSIGN and I introduce today promises a better tomorrow for our public lands in southern Nevada, for the more than 1.5 million people who call Clark County home, and for the millions of Americans who visit southern Nevada every year. This constructive compromise provides land for development, land grants for public purposes, wilderness for conservation in perpetuity, and a new national conservation area to celebrate and protect the wonderful natural and cultural resources of the North McCullough Mountains including the Sloan petroglyph site.

Senator ENSIGN and I have been working on this bill since he came to the Senate a year and a half ago. We are proud of the progress we've made together and with Congressman GIBBONS and believe that this public lands bill should serve as a model for bipartisan cooperation and constructive compromise. We look forward to working with Chairman BINGAMAN and the Energy and Natural Resources Committee to perfect this bill so that we can enact the Clark County Conservation PLAN into law this year.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2612

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Clark County Conservation of Public Land and Natural Resources Act of 2002''.

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

SEC. 2. DEFINITIONS.

In this Act:

(1) AGREEMENT.—The term ''Agreement'' means the Agreement entitled ''Interim Cooperative Management Agreement Between the United States Department of the Interior-Bureau of Land Management and Clark County'', dated November 4, 1992.

(2) COUNTY.—The term ''County'' means Clark County, Nevada.

(3) SECRETARY.—The term ''Secretary'' means—

(A) in the case of land in the National Forest System, the Secretary of Agriculture; and

(B) in the case of land not in the National Forest System, the Secretary of the Interior.

(4) STATE.—The term ''State'' means the State of Nevada.

TITLE I—RED ROCK CANYON NATIONAL CONSERVATION AREA LAND EXCHANGE AND BOUNDARY ADJUSTMENT

SEC. 101. SHORT TITLE.

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

SEC. 102. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) the Red Rock Canyon National Conservation Area is a natural resource of major significance to the people of the State and the United States, and must be protected and enhanced for the enjoyment of future generations;

(2) in 1990, Congress enacted the Southern Red Rock Canyon National Conservation Area Establishment Act of 1990 (16 U.S.C. 460ccc et seq.), which provides for the protection and enhancement of the conservation area;

(3) the Howard Hughes Corporation, which owns much of the private land outside the eastern boundary of the conservation area, is developing a large-scale master-planned community on the land;

(4) included in the land holdings of the Corporation are 1,087 acres of high-ground land adjacent to the eastern edge of the conservation area that were originally intended to be included in the conservation area, but as of the date of enactment of this Act, have not been acquired by the United States;

(5) the protection of the high-ground land would preserve an important element of the western Las Vegas Valley viewshed; and

(6) the Corporation is willing to convey title to the high-ground land to the United States so that the land can be preserved to protect and expand the boundaries of the conservation area.

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

(1) to authorize the United States to exchange Federal land for the non-Federal land of the Corporation referred to in subsection (a)(6);

(2) to protect and enhance the conservation area;

(3) to expand the boundaries of the conservation area; and

(4) to carry out the purposes of—

(A) the Red Rock Canyon National Conservation Area Establishment Act of 1990 (16 U.S.C. 460ccc et seq.); and

(B) the Southern Nevada Public Land Management Act of 1998 (Public Law 105–263; 112 Stat. 2343).

SEC. 103. DEFINITIONS.

In this title:

(1) CONSERVATION AREA.—The term ''conservation area'' means the Red Rock Canyon National Conservation Area established by section 3(a) of the Red Rock Canyon National Conservation Area Establishment Act of 1990 (16 U.S.C. 460ccc–1(a)).

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

(3) FEDERAL PARCEL.—The term ''Federal parcel'' means the approximately 1000 acres of Federal land in the State proposed to be exchanged for the non-Federal parcel, as depicted on the map.

(4) MAP.—The term ''Map'' means the map entitled ''Southern Nevada Public Land Management Act'', dated June 10, 2002.

(5) NON-FEDERAL PARCEL.—The term ''non-Federal parcel'' means the approximately 1,085 acres of non-Federal land in the State owned by the Corporation that is proposed to be exchanged for the Federal parcel, as depicted on the Map.

(6) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

SEC. 104. RED ROCK CANYON LAND EXCHANGE.

(a) IN GENERAL.—The Secretary shall accept an offer of the Corporation to convey all right, title, and interest in the non-Federal parcel to the United States in exchange for the Federal parcel.

(b) CONVEYANCE.—Not later than 60 days after the date on which the Corporation makes an offer under subsection (a), the Secretary shall convey—

(1) a portion of the Federal parcel, depicted on the Map as ''Public land selected for exchange'' to the Corporation; and

(2) subject to subsection (f), a portion of the Federal parcel, depicted on the Map as ''Proposed BLM transfer for County park'', to the County.

(c) VALUATION.—An appraiser approved by the Secretary shall determine—

(1) the value and exact acreage of the Federal parcel; and

(2) the value of the non-Federal parcel.

(d) TIMING.—The exchange of the Federal parcel and the non-Federal parcel under this section shall occur concurrently.

(e) MAP.—

(1) REVISION.—As soon as practicable after the date of enactment of this Act, the Secretary shall prepare a revised map reflecting the modifications to the boundary of the conservation area under this section.

(2) PUBLIC AVAILABILITY.—A copy of the Map and the revised map shall be on file and available for public inspection in—

(A) the Office of the Director of the Bureau of Land Management;

(B) the Office of the State Director of the Bureau of Land Management of the State; and

(C) the Las Vegas District Office of the Bureau of Land Management.

(3) TECHNICAL CORRECTIONS.—The Secretary may correct clerical and typographical errors in the Map and the revised map.

(f) LAND TRANSFERRED TO COUNTY.—

(1) IN GENERAL.—The portion of the Federal parcel conveyed to the County under subsection (b)(2) shall be used by the County as—

(A) a public park; or

(B) part of a public regional trail system.

(2) REVERSION.—The portion of the Federal parcel conveyed to the County shall revert to the United States if the County—

(A) transfers, or attempts to transfer, the portion of the Federal parcel; or

(B) uses the portion of the Federal parcel in a manner inconsistent with paragraph (1).

SEC. 105. STATUS AND MANAGEMENT OF ACQUIRED LAND.

(a) ADMINISTRATION.—The non-Federal parcel acquired by the United States in the land

exchange under section 104 shall be added to, and administered by the Secretary as part of, the conservation area in accordance with—

(1) the Red Rock Canyon National Conservation Area Establishment Act of 1990 (16 U.S.C. 460ccc et seq.);

(2) the Southern Nevada Public Land Management Act of 1998 (Public Law 105–263; 112 Stat. 2343); and

(3) other applicable law.

(b) BOUNDARY ADJUSTMENT.—If any part of the non-Federal parcel acquired under section 104 lies outside the boundary of the conservation area, the Secretary—

(1) shall adjust the boundary of the conservation area to include that part of the non-Federal parcel; and

(2) shall prepare a map depicting the boundary adjustment, which shall be on file and available for public inspection in accordance with section 104(e)(2).

(c) CONFORMING AMENDMENT.—Section 3(a)(2) of the Red Rock Canyon National Conservation Area Establishment Act of 1990 (16 U.S.C. 460ccc–1(a)(2)) is amended by inserting before the period at the end the following: ''and such additional areas as are included in the conservation area under the Red Rock Canyon National Conservation Area Protection and Enhancement Act of 2002, the exact acreage of which shall be determined by a final appraisal conducted by an appraiser approved by the Secretary''.

SEC. 106. GENERAL PROVISIONS.

(a) VALID EXISTING RIGHTS.—Each conveyance under section 104 shall be subject to valid existing rights, leases, rights-of-way, and permits.

(b) WITHDRAWAL OF AFFECTED LAND.—Subject to valid existing rights, the Secretary may withdraw the Federal parcel from operation of the public land laws (including mining laws).

TITLE II—WILDERNESS AREAS

SEC. 201. FINDINGS.

Congress finds that—

(1) public land in the County contains unique and spectacular natural resources, including—

(A) priceless habitat for numerous species of plants and wildlife; and

(B) thousands of acres of pristine land that remain in a natural state; and

(2) continued preservation of those areas would benefit the County and all of the United States by—

(A) ensuring the conservation of ecologically diverse habitat;

(B) conserving primitive recreational resources; and

(C) protecting air and water quality.

SEC. 202. ADDITIONS TO NATIONAL WILDERNESS PRESERVATION SYSTEM.

(a) ADDITIONS.—The following land in the State is designated as wilderness and as components of the National Wilderness Preservation System:

(1) ARROW CANYON WILDERNESS.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 27,495 acres, as generally depicted on the map entitled ''Arrow Canyon'', dated June 5, 2002, which shall be known as the ''Arrow Canyon Wilderness''.

(2) BLACK CANYON WILDERNESS.—Certain Federal land within the Lake Mead National Recreation Area and an adjacent portion of Federal land managed by the Bureau of Land Management, comprising approximately 17,220 acres, as generally depicted on the map entitled ''El Dorado/Spirit Mountain'', dated June 10, 2002, which shall be known as the ''Black Canyon Wilderness''.

(3) BLACK MOUNTAIN WILDERNESS.—Certain Federal land within the Lake Mead National Recreation Area, comprising approximately 14,625 acres, as generally depicted on the map entitled ''Muddy Mountains'', dated June 5, 2002, which shall be known as the ''Black Mountain Wilderness''.

(4) BRIDGE CANYON WILDERNESS.—Certain Federal land within the Lake Mead National Recreation Area, comprising approximately 7,761 acres, as generally depicted on the map entitled ''El Dorado/Spirit Mountain'', dated June 10, 2002, which shall be known as the ''Bridge Canyon Wilderness''.

(5) EL DORADO WILDERNESS.—Certain Federal land within the Lake Mead National Recreation Area and an adjacent portion of Federal land managed by the Bureau of Land Management, comprising approximately 31,950 acres, as generally depicted on the map entitled ''El Dorado/Spirit Mountain'', dated June 10, 2002, which shall be known as the ''El Dorado Wilderness''.

(6) HAMBLIN MOUNTAIN WILDERNESS.—Certain Federal land within the Lake Mead National Recreation Area, comprising approximately 17,047 acres, as generally depicted on the map entitled ''Muddy Mountains'', dated June 5, 2002, which shall be known as the ''Hamblin Mountain Wilderness''.

(7) IRETEBA PEAKS WILDERNESS.—Certain Federal land within the Lake Mead National Recreation Area and an adjacent portion of Federal land managed by the Bureau of Land Management, comprising approximately 31,321 acres, as generally depicted on the map entitled ''El Dorado/Spirit Mountain'', dated June 10, 2002, which shall be known as the ''Ireteba Peaks Wilderness''.

(8) JIMBILNAN WILDERNESS.—Certain Federal land within the Lake Mead National Recreation Area, comprising approximately 18,879 acres, as generally depicted on the map entitled ''Muddy Mountains'', dated June 5, 2002, which shall be known as the ''Jimbilnan Wilderness''.

(9) JUMBO SPRINGS WILDERNESS.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 4,631 acres, as generally depicted on the map entitled ''Gold Butte'', dated June 5, 2002, which shall be known as the ''Jumbo Springs Wilderness''.

(10) LA MADRE MOUNTAIN WILDERNESS.—Certain Federal land within the Toiyabe National Forest and an adjacent portion of Federal land managed by the Bureau of Land Management, comprising approximately 46,634 acres, as generally depicted on the map entitled ''Spring Mountains'', dated June 5, 2002, which shall be known as the ''La Madre Mountain Wilderness''.

(11) LIME CANYON WILDERNESS.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 16,710 acres, as generally depicted on the map entitled ''Gold Butte'', dated June 5, 2002, which shall be known as the ''Lime Canyon Wilderness''.

(12) MT. CHARLESTON WILDERNESS ADDITIONS.—Certain Federal land within the Toiyabe National Forest and an adjacent portion of Federal land managed by the Bureau of Land Management, comprising approximately 13,598 acres, as generally depicted on the map entitled ''Spring Mountains'', dated June 5, 2002, which shall be included in the Mt. Charleston Wilderness.

(13) MUDDY MOUNTAINS WILDERNESS.—Certain Federal land within the Lake Mead National Recreation Area and an adjacent portion of land managed by the Bureau of Land Management, comprising approximately 48,019 acres, as generally depicted on the map entitled ''Muddy Mountains'', dated June 5, 2002, which shall be known as the ''Muddy Mountains Wilderness''.

(14) NELLIS WASH WILDERNESS.—Certain Federal land within the Lake Mead National Recreation Area, comprising approximately 16,423 acres, as generally depicted on the map entitled ''El Dorado/Spirit Mountain'', dated June 10, 2002, which shall be known as the ''Nellis Wash Wilderness''.

(15) NORTH MCCULLOUGH WILDERNESS.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 14,763 acres, as generally depicted on the map entitled ''McCulloughs'', dated June 10, 2002, which shall be known as the ''North McCullough Wilderness''.

(16) PINE CREEK WILDERNESS.—Certain Federal land within the Toiyabe National Forest and an adjacent portion of Federal land managed by the Bureau of Land Management, comprising approximately 25,375 acres, as generally depicted on the map entitled ''Spring Mountains'', dated June 5, 2002, which shall be known as the ''Pine Creek Wilderness''.

(17) PINTO VALLEY WILDERNESS.—Certain Federal land within the Lake Mead National Recreation Area and an adjacent portion of Federal land managed by the Bureau of Land Management, comprising approximately 6,912 acres, as generally depicted on the map entitled ''Muddy Mountains'', dated June 5, 2002, which shall be known as the ''Pinto Valley Wilderness''.

(18) SOUTH MCCULLOUGH WILDERNESS.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 44,245 acres, as generally depicted on the map entitled ''McCulloughs'', dated June 10, 2002, which shall be known as the ''South McCullough Wilderness''.

(19) SPIRIT MOUNTAIN WILDERNESS.—Certain Federal land within the Lake Mead National Recreation Area and an adjacent portion of Federal land managed by the Bureau of Land Management, comprising approximately 34,261 acres, as generally depicted on the map entitled ''El Dorado/Spirit Mountain'', dated June 10, 2002, which shall be known as the ''Spirit Mountain Wilderness''.

(20) WEE THUMP JOSHUA TREE WILDERNESS.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 6,050 acres, as generally depicted on the map entitled ''McCulloughs'', dated June 10, 2002, which shall be known as the ''Wee Thump Joshua Tree Wilderness''.

(b) BOUNDARY.—The boundary of any portion of a wilderness area designated by subsection (a) that is bordered by Lake Mead, Lake Mohave, or the Colorado River shall be 300 feet inland from the high water line.

(c) MAP AND LEGAL DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall file a map and legal description of each wilderness area designated by subsection (a) 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 legal description shall have the same force and effect as if included in this section, except that the Secretary may correct clerical and typographical errors in the map or legal description.

(3) AVAILABILITY.—Each map and legal description shall be on file and available for public inspection in (as appropriate)—

(A) the Office of the Director of the Bureau of Land Management;

(B) the Office of the State Director of the Bureau of Land Management of the State;

(C) the Las Vegas District Office of the Bureau of Land Management;

(D) the Office of the Director of the National Park Service; and

(E) the Office of the Chief of the Forest Service.

SEC. 203. ADMINISTRATION.

(a) WILDERNESS AREA ADMINISTRATION.—Subject to valid existing rights, including

rights to access the area, each area designated as wilderness by this title shall be administered by the Secretary in accordance with the provisions of the Wilderness Act (16 U.S.C. 1131 et seq.) governing areas designated by that Act as wilderness, except that any reference in the provisions to the effective date shall be considered to be a reference to the date of enactment of this Act.

(b) LIVESTOCK.—Within the wilderness areas designated under this title, the grazing of livestock in areas in which grazing is allowed on the date of enactment of this Act shall be allowed to continue subject to such reasonable regulations, policies, and practices that—

(1) the Secretary considers necessary; and

(2) conform to and implement the intent of Congress regarding grazing in those areas as such intent is expressed in—

(A) the Wilderness Act (16 U.S.C. 1131 et seq.);

(B) section 101(f) of the Arizona Desert Wilderness Act of 1990 (104 Stat. 4473); and

(C) Appendix A of House Report No. 101–405 of the 101st Congress.

(c) INCORPORATION OF ACQUIRED LAND AND INTERESTS.—Any land or interest in land within the boundaries of an area designated as wilderness by this title that is acquired by the United States after the date of enactment of this Act shall be added to and administered as part of the wilderness area within which the acquired land or interest in land is located.

(d) AIR QUALITY DESIGNATION.—Notwithstanding sections 162 and 164 of the Clean Air Act (42 U.S.C. 7472, 7474), any wilderness area designated under this title shall retain a Class II air quality designation and may not be redesignated as Class I.

SEC. 204. ADJACENT MANAGEMENT.

(a) IN GENERAL.—Congress does not intend for the designation of wilderness in the State pursuant to this title to lead to the creation of protective perimeters or buffer zones around any such wilderness area.

(b) NONWILDERNESS ACTIVITIES.—The fact that nonwilderness activities or uses can be seen or heard from areas within a wilderness designated under this title shall not preclude the conduct of those activities or uses outside the boundary of the wilderness area.

SEC. 205. OVERFLIGHTS.

Nothing in this title restricts or precludes—

(1) overflights, including low-level overflights, over the areas designated as wilderness by this title, including military overflights that can be seen or heard within the wilderness areas;

(2) flight testing and evaluation; or

(3) the designation or creation of new units of special use airspace, or the establishment of military flight training routes, over the wilderness areas.

SEC. 206. NATIVE AMERICAN CULTURAL AND RELIGIOUS USES.

In recognition of the past use of portions of the areas designated as wilderness by this title by Native Americans for traditional cultural and religious purposes, the Secretary shall ensure, from time to time, nonexclusive access by Native Americans to the areas for those purposes, including wood gathering for personal use and the collecting of plants or herbs.

SEC. 207. RELEASE OF WILDERNESS STUDY AREAS.

(a) FINDING.—Congress finds that, for the purposes of sections 202 and 603 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1782), the public land in the County administered by the Bureau of Land Management and the Forest Service in the following areas have been adequately studied for wilderness designation:

(1) The Garrett Buttes Wilderness Study Area.

(2) The Quail Springs Wilderness Study Area.

(3) The Nellis A,B,C Wilderness Study Area.

(4) Any portion of the wilderness study areas—

(A) not designated as wilderness by section 202(a); and

(B) designated for release on—

(i) the map entitled ''Muddy Mountains'' and dated June 5, 2002;

(ii) the map entitled ''Spring Mountains'' and dated June 5, 2002;

(iii) the map entitled ''Arrow Canyon'' and dated June 5, 2002;

(iv) the map entitled ''Gold Butte'' and dated June 5, 2002;

(v) the map entitled ''McCullough Mountains'' and dated June 10, 2002;

(vi) the map entitled ''El Dorado/Spirit Mountain'' and dated June 10, 2002; or

(vii) the map entitled ''Southern Nevada Public Land Management Act'' and dated June 10, 2002.

(b) RELEASE.—Except as provided in subsection (c), any public land described in subsection (a) that is not designated as wilderness by this title—

(1) shall not be subject to section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)); and

(2) shall be managed in accordance with—

(A) land management plans adopted under section 202 of that Act (43 U.S.C. 1712); and

(B) the Clark County Multi-Species Habitat Conservation Plan, including any amendments to the plan.

(c) LAND NOT RELEASED.—The following land is not released from the wilderness study requirements of sections 202 and 603 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1782):

(1) Meadow Valley Mountains Wilderness Study Area.

(2) Million Hills Wilderness Study Area.

(3) Mt. Stirling Wilderness Study Area.

(4) Mormon Mountains Wilderness Study Area.

(5) Sunrise Mountain Instant Study Area.

(6) Virgin Mountain Instant Study Area.

(d) RIGHT-OF-WAY GRANTS.—

(1) SUNRISE MOUNTAIN.—

(A) IN GENERAL.—To facilitate energy security and the timely delivery of new energy supplies to the States of Nevada and California and the Southwest, notwithstanding section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)), the Secretary shall issue to the State-regulated sponsor of the Centennial Project a right-of-way grant for the construction and maintenance of 2 500-kilovolt electrical transmission lines.

(B) LOCATION.—The transmission lines described in subparagraph (A) shall be constructed within the 1,400-foot-wide utility right-of-way corridor in the Sunrise Mountain Instant Study Area in the County.

(2) MEADOW VALLEY MOUNTAINS WILDERNESS STUDY AREA.—The Secretary shall issue to the developers of the proposed Meadow Valley generating project a right-of-way grant for the construction and maintenance of electric and water transmission lines in the Meadow Valley Mountains Wilderness Study Area in Clark and Lincoln Counties in the State.

SEC. 208. WILDLIFE MANAGEMENT.

(a) IN GENERAL.—The Secretary shall conduct such management activities as are necessary to maintain or restore fish and wildlife populations and fish and wildlife habitats in the areas designated as wilderness by this title.

(b) HUNTING, FISHING, AND TRAPPING.—

(1) IN GENERAL.—The Secretary shall permit hunting, fishing, and trapping on land and water in wilderness areas designated by this title in accordance with applicable Federal and State laws.

(2) LIMITATIONS.—

(A) REGULATIONS.—The Secretary may designate by regulation areas in which, and establish periods during which, for reasons of public safety, administration, or compliance with applicable laws, no hunting, fishing, or trapping will be permitted in the wilderness areas designated by this title.

(B) CONSULTATION.—Except in emergencies, the Secretary shall consult with, and obtain the approval of, the appropriate State agency before promulgating regulations under subparagraph (A) that close a portion of the wilderness areas to hunting, fishing, or trapping.

(c) MOTORIZED VEHICLES.—

(1) IN GENERAL.—The Secretary shall authorize the occasional and temporary use of motorized vehicles in the wilderness areas, including the uses described in paragraph (2), if the use of motorized vehicles would—

(A) as determined by the Secretary, enhance wilderness values by promoting healthy, viable, and more naturally distributed wildlife populations and other natural resources; and

(B) accomplish the purposes for which the use is authorized while causing the least amount of damage to the wilderness areas, as compared with the alternatives.

(2) AUTHORIZED USES.—The uses referred to in paragraph (1) include—

(A) the use of motorized vehicles by—

(i) a State agency responsible for fish and wildlife management; or

(ii) a designee of such a State agency;

(B) the use of aircraft to survey, capture, transplant, and monitor wildlife populations;

(C) when necessary to protect or rehabilitate natural resources in the wilderness areas, access by motorized vehicles for the—

(i) repair, maintenance, and reconstruction of water developments, including guzzlers, in existence on the date of enactment of this Act; and

(ii) the installation, repair, maintenance, and reconstruction of new water developments, including guzzlers; and

(D) the use of motorized equipment, including aircraft, to manage and remove, as appropriate, feral stock, feral horses, and feral burros.

(d) WILDLIFE WATER DEVELOPMENT PROJECTS.—The Secretary shall authorize the construction of structures and facilities for wildlife water development projects, including guzzlers, in the wilderness areas designated by this title if—

(1) the construction activities will, as determined by the Secretary, enhance wilderness values by promoting healthy, viable, and more naturally distributed wildlife populations; and

(2) the visual impacts of the construction activities on the wilderness areas can reasonably be minimized.

(e) BUFFER.—A road in the State that is bordered by a wilderness area designated by this title shall include a buffer on each side of the road that is the greater of—

(1) 100 feet wide; or

(2) the width of the buffer on the date of enactment of this Act.

(f) EFFECT.—Nothing in this title diminishes the jurisdiction of the State with respect to fish and wildlife management, including regulation of hunting and fishing on public land in the State.

SEC. 209. WILDFIRE MANAGEMENT.

Nothing in this title precludes a Federal, State, or local agency from conducting wildfire management operations (including operations using aircraft or mechanized equipment) to manage wildfires in the wilderness areas designated by this title.

SEC. 210. CLIMATOLOGICAL DATA COLLECTION.

Subject to such terms and conditions as the Secretary may prescribe, nothing in this title precludes the installation and maintenance of hydrologic, meteorologic, or climatological collection devices in the wilderness areas designated by this title if the facilities and access to the facilities are essential to flood warning, flood control, and water reservoir operation activities.

SEC. 211. AUTHORIZATION OF APPROPRIATIONS.

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

TITLE III—TRANSFERS OF ADMINISTRATIVE JURISDICTION

SEC. 301. TRANSFER OF ADMINISTRATIVE JURISDICTION TO THE UNITED STATES FISH AND WILDLIFE SERVICE.

(a) IN GENERAL.—The Secretary of the Interior shall transfer to the United States Fish and Wildlife Service administrative jurisdiction over the parcel of land described in subsection (b) for inclusion in the Desert National Wildlife Range.

(b) DESCRIPTION OF LAND.—The parcel of land referred to in subsection (a) is the approximately 49,817 acres of Bureau of Land Management land, as depicted on the map entitled ''Arrow Canyon'' and dated June 5, 2002.

(c) WILDERNESS RELEASE.—

(1) FINDING.—Congress finds that the parcel of land described in subsection (b) has been adequately studied for wilderness designation for the purposes of section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)).

(2) RELEASE.—The parcel of land described in subsection (b)—

(A) shall not be subject to section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)); and

(B) shall be managed in accordance with—

(i) land management plans adopted under section 202 of that Act (43 U.S.C. 1712); and

(ii) the Clark County Multi-Species Habitat Conservation Plan.

(d) USE OF LAND.—To the extent not prohibited by Federal or State law, the parcel of land described in subsection (b) shall be available for the extraction of mineral resources.

SEC. 302. TRANSFER OF ADMINISTRATIVE JURISDICTION TO THE NATIONAL PARK SERVICE.

(a) IN GENERAL.—The Secretary of the Interior shall transfer to the National Park Service administrative jurisdiction over the parcel of land described in subsection (b) for inclusion in the Lake Mead National Recreation Area.

(b) DESCRIPTION OF LAND.—The parcel of land referred to in subsection (a) is the approximately 10 acres of Bureau of Land Management land, as depicted on the map entitled ''El Dorado/Spirit Mountain'' and dated June 10, 2002.

(c) USE OF LAND.—The parcel of land described in subsection (b) shall be used by the National Park Service for administrative facilities.

TITLE IV—AMENDMENTS TO THE SOUTHERN NEVADA PUBLIC LAND MANAGEMENT ACT

SEC. 401. DISPOSAL AND EXCHANGE.

(a) IN GENERAL.—Section 4 of the Southern Nevada Public Land Management Act of 1998 (Public Law 105–263; 112 Stat. 2344) is amended—

(1) in the first sentence of subsection (a), by striking ''entitled 'Las Vegas Valley, Nevada, Land Disposal Map', April 10, 1997'' and inserting ''entitled 'Southern Nevada Public Land Management Act', dated June 10, 2002''; and

(2) in subsection (e)(3)—

(A) in subparagraph (A)(iv), by inserting ''or regional governmental entity'' after ''local government''; and

(B) by striking subparagraph (C) and inserting the following:

''(C) ADMINISTRATION.—Of the amounts available to the Secretary from the special account in any fiscal year (determined without taking into account amounts deposited under subsection (g)(4))—

''(i) not more than 25 percent of the amounts may be used in any fiscal year for the purposes described in subparagraph (A)(ii); and

''(ii) not less than 25 percent of the amounts may be used in any fiscal year for the purposes described in subparagraph (A)(iv).''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) take effect on January 31, 2003.

TITLE V—IVANPAH CORRIDOR

SEC. 501. INTERSTATE ROUTE 15 SOUTH CORRIDOR.

(a) MANAGEMENT OF INTERSTATE ROUTE 15 CORRIDOR LAND.—

(1) IN GENERAL.—The Secretary shall manage the land located along the Interstate Route 15 corridor south of the Las Vegas Valley to the border between the States of California and Nevada, as generally depicted on the map entitled ''Clark County Conservation of Public Land and Natural Resources Act of 2002'' and dated June 10, 2002, in accordance with the Southern Nevada Public Land Management Act of 1998 (Public Law 105–263; 112 Stat. 2343) and this section.

(2) AVAILABILITY OF MAP.—The map described in paragraph (1) shall be on file and available for public inspection in—

(A) the Office of the Director of the Bureau of Land Management;

(B) the Office of the State Director of the Bureau of Land Management of the State; and

(C) the Las Vegas District Office of the Bureau of Land Management.

(3) MULTIPLE USE MANAGEMENT.—Subject to any land management designations under the 1998 Las Vegas District Resource Management Plan or the Clark County Multi-Species Conservation Plan, land depicted on the map described in paragraph (1) shall be managed for multiple use purposes.

(4) TERMINATION OF ADMINISTRATIVE WITHDRAWAL.—The administrative withdrawal of the land identified as the ''Interstate 15 South Corridor'' on the map entitled ''Clark County Conservation of Public Land and Natural Resources Act of 2002'' and dated June 10, 2002, from mineral entry dated July 23, 1997, and as amended March 9, 1998, is terminated.

(5) TRANSPORTATION AND UTILITIES CORRIDOR.—Notwithstanding sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1713), the Secretary, in accordance with this section and other applicable law and subject to valid existing rights, shall establish a 2,640-foot wide corridor between the Las Vegas valley and the proposed Ivanpah Airport for the placement, on a nonexclusive basis, of utilities and transportation.

(b) IVANPAH AIRPORT ENVIRONS OVERLAY DISTRICT LAND TRANSFER.—

(1) IN GENERAL.—Subject to paragraph (2) and valid existing rights, on request by the County, the Secretary shall transfer to the County, without consideration, all right, title, and interest of the United States in and to the land identified on the map entitled ''Clark County Conservation of Public Land and Natural Resources Act of 2002'' and dated June 10, 2002.

(2) CONDITIONS FOR TRANSFER.—As a condition of the transfer under paragraph (1), the County shall agree—

(A) to manage the transferred land in accordance with section 47504 of title 49, United States Code (including regulations promulgated under that section); and

(B) that if any portion of the transferred land is sold, leased, or otherwise conveyed or leased by the County—

(i) the sale, lease, or other conveyance shall be—

(I) subject to a limitation that requires that any use of the transferred land be consistent with the Agreement and section 47504 of title 49, United States Code (including regulations promulgated under that section); and

(II) for fair market value; and

(ii) of any gross proceeds received by the County from the sale, lease, or other conveyance of the land, the County shall—

(I) contribute 85 percent to the special account established by section 4(e)(1)(C) of the Southern Nevada Public Land Management Act of 1998 (Public Law 105–263; 112 Stat. 2345);

(II) contribute 5 percent to the State for use in the general education program of the State; and

(III) reserve 10 percent for use by the Clark County Department of Aviation for airport development and noise compatibility programs.

(c) WITHDRAWAL OF LAND.—

(1) IN GENERAL.—Subject to valid existing rights, the corridor described in subsection (a)(5) and the land transferred to the County under subsection (b)(1) are withdrawn from location and entry under the mining laws, and from operation under the mineral leasing and geothermal leasing laws, until such time as—

(A) the Secretary terminates the withdrawal; or

(B) the corridor or land, respectively, is patented.

(2) AREAS OF CRITICAL ENVIRONMENTAL CONCERN.—Subject to valid existing rights, any Federal land in an area of critical environmental concern that is designated for segregation and withdrawal under the 1998 Las Vegas Resource Management Plan is segregated and withdrawn from the operation of the mining laws in accordance with that plan.

TITLE VI—SLOAN CANYON NATIONAL CONSERVATION AREA

SEC. 601. SHORT TITLE.

This title may be cited as the ''Sloan Canyon National Conservation Area Act''.

SEC. 602. PURPOSE.

The purpose of this title is to establish the Sloan Canyon National Conservation Area to conserve, protect, and enhance for the benefit and enjoyment of present and future generations the cultural, archaeological, natural, wilderness, scientific, geological, historical, biological, wildlife, education, and scenic resources of the Conservation Area.

SEC. 603. DEFINITIONS.

In this title:

(1) CONSERVATION AREA.—The term ''Conservation Area'' means the Sloan Canyon National Conservation Area established by section 604(a).

(2) FEDERAL PARCEL.—The term ''Federal parcel'' means the parcel of Federal land consisting of approximately 500 acres that is identified as ''Tract A'' on the map entitled ''Southern Nevada Public Land Management Act'' and dated June 10, 2002.

(3) MANAGEMENT PLAN.—The term ''management plan'' means the management plan for the Conservation Area developed under section 605(b).

(4) MAP.—The term ''map'' means the map submitted under section 604(c).

SEC. 604. ESTABLISHMENT.

(a) IN GENERAL.—For the purpose described in section 602, there is established in the State a conservation area to be known as the ''Sloan Canyon National Conservation Area''.

(b) AREA INCLUDED.—The Conservation Area shall consist of approximately 47,000 acres of public land in the County, as generally depicted on the map.

(c) MAP AND LEGAL DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall submit to Congress a map and legal description of the Conservation Area.

(2) EFFECT.—The map and legal description shall have the same force and effect as if included in this section, except that the Secretary may correct minor errors in the map or legal description.

(3) PUBLIC AVAILABILITY.—A copy of the map and legal description shall be on file and available for public inspection in—

(i) the Office of the Director of the Bureau of Land Management;

(ii) the Office of the State Director of the Bureau of Land Management of the State; and

(iii) the Las Vegas District Office of the Bureau of Land Management.

SEC. 605. MANAGEMENT.

(a) IN GENERAL.—The Secretary, acting through the Director of the Bureau of Land Management, shall manage the Conservation Area—

(1) in a manner that conserves, protects, and enhances the resources of the Conservation Area; and

(2) in accordance with—

(A) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(B) other applicable law, including this Act.

(b) MANAGEMENT PLAN.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Secretary, in consultation with the State, the city of Henderson, the County, and any other interested persons, shall develop a comprehensive management plan for the Conservation Area.

(2) REQUIREMENTS.—The management plan shall—

(A) describe the appropriate uses and management of the Conservation Area; and

(B)(i) authorize the use of motorized vehicles in the Conservation Area—

(I) for installing, repairing, maintaining, and reconstructing water development projects, including guzzlers, that would enhance the Conservation Area by promoting healthy, viable, and more naturally distributed wildlife populations; and

(II) subject to any limitations that are not more restrictive than the limitations on such uses authorized in wilderness areas under clauses (i) and (ii) of section 208(c)(2)(C); and

(ii) include or provide recommendations on ways of minimizing the visual impacts of such activities on the Conservation Area.

(c) USE.—The Secretary may allow any use of the Conservation Area that the Secretary determines will further the purpose described in section 602.

(d) MOTORIZED VEHICLES.—Except as needed for administrative purposes or to respond to an emergency, the use of motorized vehicles in the Conservation Area shall be permitted only on roads and trails designated for the use of motorized vehicles by the management plan developed under subsection (b).

(e) WITHDRAWAL.—

(1) IN GENERAL.—Subject to valid existing rights and the right-of-way issued under subsection (h), all public land in the Conservation Area is withdrawn from—

(A) all forms of entry and appropriation under the public land laws;

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

(C) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(2) ADDITIONAL LAND.—Notwithstanding any other provision of law, if the Secretary acquires mineral or other interests in a parcel of land within the Conservation Area after the date of enactment of this Act, the parcel is withdrawn from operation of the laws referred to in paragraph (1) on the date of acquisition of the land.

(f) HUNTING, FISHING, AND TRAPPING.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary shall permit hunting, fishing, and trapping in the Conservation Area in accordance with applicable Federal and State laws.

(2) LIMITATIONS.—

(A) REGULATIONS.—The Secretary may designate by regulation areas in which, and establish periods during which, for reasons of public safety, administration, or compliance with applicable laws, no hunting, fishing, or trapping will be permitted in the Conservation Area.

(B) CONSULTATION.—Except in emergencies, the Secretary shall consult with, and obtain the approval of, the appropriate State agency before promulgating regulations under subparagraph (A) that close a portion of the Conservation Area to hunting, fishing, or trapping.

(g) NO BUFFER ZONES.—

(1) IN GENERAL.—The establishment of the Conservation Area shall not create an express or implied protective perimeter or buffer zone around the Conservation Area.

(2) PRIVATE LAND.—If the use of, or conduct of an activity on, private land that shares a boundary with the Conservation Area is consistent with applicable law, nothing in this title concerning the establishment of the Conservation Area shall prohibit or limit the use or conduct of the activity.

(h) RIGHT-OF-WAY.—Not later than 90 days after the date of enactment of this Act, the Secretary shall convey to the city of Henderson the public right-of-way requested for rural roadway and public trail purposes under the application numbered N–65874.

SEC. 606. SALE OF FEDERAL PARCEL.

(a) IN GENERAL.—Notwithstanding sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1713) and subject to valid existing rights, not later than 180 days after the date of enactment of this Act, the Secretary shall convey to the highest qualified bidder all right, title, and interest of the United States in and to the Federal parcel.

(b) DISPOSITION OF PROCEEDS.—Of the gross proceeds from the conveyance of land under subsection (a)—

(1) 5 percent shall be available to the State for use in the general education program of the State;

(2) 8 percent shall be deposited in the special account established by section 4(e)(1)(C) of the Southern Nevada Public Land Management Act of 1998 (Public Law 105–263; 112 Stat. 2345), to be available without further appropriation for a comprehensive southern Nevada litter cleanup and public awareness campaign; and

(3) the remainder shall be deposited in the special account described in paragraph (2), to be available to the Secretary, without further appropriation for—

(A) the construction and operation of facilities at, and other management activities in, the Conservation Area;

(B) the construction and repair of trails and roads in the Conservation Area authorized under the management plan;

(C) research on and interpretation of the archaeological and geological resources of Sloan Canyon; and

(D) any other purpose that the Secretary determines to be consistent with the purpose described in section 602.

SEC. 607. AUTHORIZATION OF APPROPRIATIONS.

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

TITLE VII—PUBLIC INTEREST CONVEYANCES

SEC. 701. DEFINITION OF MAP.

In this title, the term ''map'' means the map entitled ''Southern Nevada Public Land Management Act'' and dated June 10, 2002.

SEC. 702. CONVEYANCE TO THE UNIVERSITY OF NEVADA AT LAS VEGAS RESEARCH FOUNDATION.

(a) FINDINGS AND PURPOSES.—

(1) FINDINGS.—Congress finds that—

(A) the University of Nevada, Las Vegas, needs land in the greater Las Vegas area to provide for the future growth of the university;

(B) the proposal by the University of Nevada, Las Vegas, for construction of a research park and technology center in the greater Las Vegas area would enhance the high tech industry and entrepreneurship in the State; and

(C) the land transferred to the Clark County Department of Aviation under section 4(g) of the Southern Nevada Public Land Management Act of 1998 (Public Law 105–263; 112 Stat. 2346) is the best location for the research park and technology center.

(2) PURPOSES.—The purposes of this section are—

(A) to provide a suitable location for the construction of a research park and technology center in the greater Las Vegas area;

(B) to provide the public with opportunities for education and research in the field of high technology; and

(C) to provide the State with opportunities for competition and economic development in the field of high technology.

(b) TECHNOLOGY RESEARCH CENTER.—

(1) CONVEYANCE.—Notwithstanding section 4(g)(4) of the Southern Nevada Public Land Management Act of 1998 (Public Law 105–263; 112 Stat. 2347), the Clark County Department of Aviation may convey, without consideration, all right, title, and interest in and to the parcel of land described in paragraph (2) to the University of Nevada at Las Vegas Research Foundation for the development of a technology research center.

(2) DESCRIPTION OF LAND.—The parcel of land referred to in paragraph (1) is the parcel of Clark County Department of Aviation land—

(A) consisting of approximately 115 acres; and

(B) located in the SW 1/4 of section 33, T. 21 S., R. 60 E., Mount Diablo Base and Meridian.

SEC. 703. CONVEYANCE TO THE LAS VEGAS METROPOLITAN POLICE DEPARTMENT.

The Secretary shall convey to the Las Vegas Metropolitan Police Department, without consideration, all right, title, and interest in and to the parcel of land identified as ''Tract F'' on the map for use as a shooting range.

SEC. 704. CONVEYANCE TO THE CITY OF HENDERSON FOR THE NEVADA STATE COLLEGE AT HENDERSON.

(a) DEFINITIONS.—In this section:

(1) CHANCELLOR.—The term ''Chancellor'' means the Chancellor of the University system.

(2) CITY.—The term ''City'' means the city of Henderson, Nevada.

(3) COLLEGE.—The term ''College'' means the Nevada State College at Henderson.

(4) UNIVERSITY SYSTEM.—The term ''University system'' means the University and Community College System of Nevada.

(b) CONVEYANCE.—

(1) IN GENERAL.—Notwithstanding the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) and section 1(c) of the Act of June 14, 1926 (commonly known as the ''Recreation and Public Purposes Act'') (43 U.S.C. 869(c)), not later than 60 days after the date on which the survey is approved under paragraph (3)(A)(ii), the Secretary shall convey to the City all right, title, and interest of the United States in and to the parcel of Federal land identified as ''Tract H'' on the map for use as a campus for the College.

(2) CONDITIONS.—

(A) IN GENERAL.—As a condition of the conveyance under paragraph (1), the Chancellor and the City shall agree in writing—

(i) to pay any administrative costs associated with the conveyance, including the costs of any environmental, wildlife, cultural, or historical resources studies;

(ii) to use the Federal land conveyed for educational and recreational purposes;

(iii) to release and indemnify the United States from any claims or liabilities which may arise from uses that are carried out on the Federal land on or before the date of enactment of this Act by the United States or any person;

(iv) to provide to the Secretary, on request, any report, data, or other information relating to the operations of the College that may be necessary, as determined by the Secretary, to determine whether the College is in compliance with this Act;

(v) as soon as practicable after the date of the conveyance under paragraph (1), to erect at the College an appropriate and centrally located monument that acknowledges the conveyance of the Federal land by the United States for the purpose of furthering the higher education of citizens in the State;

(vi) to provide information to the students of the College on the role of the United States in the establishment of the College; and

(vii) to assist the Bureau of Land Management in providing information to the students of the College and the citizens of the State on—

(I) public land in the State; and

(II) the role of the Bureau of Land Management in managing, preserving, and protecting the public land.

(B) VALID EXISTING RIGHTS.—The conveyance under paragraph (1) shall be subject to all valid existing rights.

(3) USE OF FEDERAL LAND.—

(A) IN GENERAL.—The College and the City may use the land conveyed under paragraph (1) for any purpose relating to the establishment, operation, growth, and maintenance of the College, including the construction, operation, maintenance, renovation, and demolition of—

(i) classroom facilities;

(ii) laboratories;

(iii) performance spaces;

(iv) student housing;

(v) administrative facilities;

(vi) sports and recreational facilities and fields;

(vii) food service, concession, and related facilities;

(viii) parks and roads; and

(ix) water, gas, electricity, phone, Internet, and other utility delivery systems.

(B) PROFITABLE ACTIVITIES.—The manufacturing, distribution, marketing, and selling of refreshments, books, sundries, College logo merchandise, and related materials on the Federal land for a profit shall be considered to be an educational or recreational use for the purposes of this section, if—

(i) the profitable activities are reasonably related to the educational or recreational purposes of the College; and

(ii) any profits are used to further the educational or recreational purposes of the College.

(C) OTHER ENTITIES.—The College may—

(i) consistent with Federal and State law, lease or otherwise provide property or space at the College, with or without consideration, to religious, public interest, community, or other groups for services and events that are of interest to the College, the City, or any community located in the Las Vegas Valley;

(ii) allow the City or any other community in the Las Vegas Valley to use facilities of the College for educational and recreational programs of the City or community; and

(iii) in conjunction with the City, plan, finance, (including the provision of cost-share assistance), construct, and operate facilities for the City on the Federal land conveyed for educational or recreational purposes consistent with this section.

(4) REVERSION.—

(A) NOTICE.—If the Federal land or any portion of the Federal land conveyed under paragraph (1) ceases to be used for the College, the Secretary shall notify the President and the City in writing of the intention of the Secretary to reclaim title to the Federal land or any portion of the Federal land, including any improvements to the Federal land, on behalf of the United States.

(B) EVIDENCE.—Not later than 180 days after the date of receipt of a notification under subparagraph (A), the President may submit to the Secretary any evidence that the Federal land, or any portion of the Federal land, is being used in accordance with the purposes of this section.

(C) PURCHASE BY UNIVERSITY SYSTEM.—

(i) OFFER.—Instead of reclaiming title to the Federal land or any portion of the Federal land under this paragraph, the Secretary may allow the University system to obtain title to the Federal land or any portion of the Federal land in exchange for payment by the University system of an amount equal to the fair market value of the land, excluding the value of any improvements, for any portions of the Federal land not being used for the purposes specified in this section.

(ii) AUCTION.—If the University system elects not to purchase the Federal land under clause (i)—

(I) the Federal land shall revert to the United States; and

(II) the Secretary shall—

(aa) dispose of the Federal land at public auction for fair market value; and

(bb) deposit the proceeds of the disposal in accordance with section 4(e)(1) of the Southern Nevada Public Land Management Act of 1998 (Public Law 105–263; 112 Stat. 2343).

SEC. 705. CONVEYANCE TO THE CITY OF LAS VEGAS, NEVADA.

(a) DEFINITIONS.—In this section:

(1) CITY.—The term ''City'' means the city of Las Vegas, Nevada.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the Director of the Bureau of Land Management.

(b) CONVEYANCE.—The Secretary shall convey to the City, without consideration, all right, title, and interest of the United States in and to the parcels of land identified as ''Tract C'' and ''Tract D'' on the map.

(c) REVERSION.—If a parcel of land conveyed to the City under subsection (b) ceases to be used for affordable housing or for a purpose related to affordable housing, the parcel shall, if determined to be appropriate by the Secretary, revert to the United States.

SEC. 706. HENDERSON ECONOMIC DEVELOPMENT ZONE.

(a) DEFINITIONS.—In this section:

(1) CITY.—The term ''City'' means the city of Henderson, Nevada.

(2) FEDERAL LAND.—The term ''Federal land'' means the parcels of Federal land identified as ''Tract G'' on the map.

(b) CONVEYANCE.—

(1) IN GENERAL.—Subject to paragraph (2) and valid existing rights, on request by the City, the Secretary shall convey to the City, without consideration, all right, title, and interest of the United States in and to the Federal land.

(2) CONDITIONS.—As a condition of the conveyance of land under paragraph (1), the City shall agree—

(A) to manage, in consultation with the Clark County Department of Aviation, the land in accordance with section 47504 of title 49, United States Code; and

(B) that if any portion of the Federal land is sold, leased, or otherwise conveyed by the City—

(i) the sale, lease, or conveyance shall be—

(I) for the purposes of implementing the economic development goals of the City;

(II) subject to a requirement that any use of the transferred land be consistent with section 47504 of title 49, United States Code; and

(III) for an amount equal to—

(aa) at least fair market value; plus

(bb) as the City determines to be appropriate, any administrative costs of the City relating to the Federal land, including costs—

(AA) associated with the sale, lease, or conveyance of the Federal land;

(BB) for planning, engineering, surveying, and subdividing the land; and

(CC) as the City determines appropriate, for the planning, design, and construction of infrastructure for the economic development zone; and

(ii) the City shall deposit the proceeds from any sale, lease, or other conveyance of the Federal land, excluding any administrative costs received under item (bb), in accordance with section 4(e)(1) of the Southern Nevada Public Land Management Act of 1998 (Public Law 105–263; 112 Stat. 2343).

(3) AVAILABILITY OF MAP.—The map shall be on file and available for public inspection in—

(A) the Office of the Director of the Bureau of Land Management;

(B) the Office of the State Director of the Bureau of Land Management of the State; and

(C) the Las Vegas District Office of the Bureau of Land Management.

(4) RESERVATION FOR RECREATIONAL OR PUBLIC PURPOSES.—

(A) IN GENERAL.—The City may elect to use 1 or more parcels of Federal land for recreational or public purposes under the Act of June 14, 1926 (commonly known as the ''Recreation and Public Purposes Act'') (43 U.S.C. 869 et seq.).

(B) CONSIDERATION.—If the City makes an election under subparagraph (A), the City shall pay to the Bureau of Land Management an amount determined under that Act.

(5) REVERSION.—A parcel of Federal land shall revert to the United States if—

(A) a parcel used by the City for local recreational or public purposes under paragraph (4)—

(i) ceases to be used by the City for such purposes; and

(ii) is not sold, leased, or conveyed in accordance with paragraph (2)(B); or

(B) by the date specified in paragraph (6), the City does not—

(i) elect to use the parcel for local recreational or public purposes under paragraph (4); or

(ii) sell, lease, or convey the Federal parcel in accordance with paragraph (2)(B).

(6) TERMINATION OF EFFECTIVENESS.—The authority provided by this section terminates on the date that is 20 years after the date of enactment of this Act.

SEC. 707. CONVEYANCE OF SUNRISE MOUNTAIN LANDFILL TO CLARK COUNTY, NEVADA.

(a) IN GENERAL.—Not later than 1 year after the date on which a cleanup of the land identified as ''Tract E'' on the map is completed, the Secretary shall convey to the County, without consideration, all right, title, and interest of the United States in and to the land.

(b) SURVEY.—

(1) IN GENERAL.—The Secretary shall conduct a survey to determine the exact acreage and legal description of the land to be conveyed under subsection (a).

(2) COST.—The County shall be responsible for the cost of the survey conducted under paragraph (1).

(c) CONDITIONS.—

(1) IN GENERAL.—As a condition of the conveyance of the land under subsection (a), the County shall enter into a written agreement with the Secretary that provides that—

(A) the Secretary shall not be liable for any claims arising from the land after the date of conveyance; and

(B) the County may use the land conveyed for any purpose.

(2) VALID EXISTING RIGHTS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the conveyance of land under subsection (a) shall be subject to valid existing rights.

(B) EXCEPTION.—On conveyance of the land under subsection (a), the Secretary shall terminate any lease with respect to the land that—

(i) was issued under the Act of June 14, 1926 (commonly known as the ''Recreation and Public Purposes Act'') (43 U.S.C. 869 et seq.); and

(ii) is in effect on the date of enactment of this Act.

(d) WAIVER OF CERTAIN REQUIREMENTS.—The conveyance of land under subsection (a)—

(1) shall not require the Secretary to update the 1998 Las Vegas Valley Resource Management Plan; and

(2) shall not be subject to any law (including a regulation) that limits the acreage authorized to be transferred by the Secretary in any transaction or year.

SEC. 708. OPEN SPACE LAND GRANTS.

(a) CONVEYANCE.—

(1) IN GENERAL.—Notwithstanding section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712), the Secretary shall convey to the city of Henderson, Nevada (referred to in this section as the ''City''), subject to valid existing rights, for no consideration, all right, title, and interest of the United States in and to the parcel of land identified as ''Tract B'' on the map entitled ''McCulloughs'' and dated June 10, 2002.

(2) COSTS.—Any costs relating to the conveyance of the parcel of land under paragraph (1), including costs for a survey and other administrative costs, shall be paid by the City.

(b) USE OF LAND.—

(1) IN GENERAL.—The parcel of land conveyed to the City under subsection (a)(1) shall be used—

(A) for the conservation of natural resources;

(B) for public recreation, including hiking, horseback riding, biking, and birdwatching;

(C) as part of a regional trail system; and

(D) for flood control facilities.

(2) FACILITIES.—Any facility on the parcel of land conveyed under subsection (a)(1) shall be constructed and managed in a manner consistent with the uses specified in paragraph (1).

(3) REVERSION.—If the parcel of land conveyed under subsection (a)(1) is used in a manner that is inconsistent with the uses specified in paragraph (1), the parcel of land shall, if determined to be appropriate by the Secretary, revert to the United States.

(c) WILDERNESS RELEASE.—Congress finds that the parcel of land identified in subsection (a)(1)—

(1) has been adequately studied for wilderness designation for the purposes of section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)); and

(2) shall not be subject to the requirements of that section relating to the management of wilderness study areas.

SEC. 709. RELOCATION OF RIGHT-OF-WAY CORRIDOR LOCATED IN CLARK AND LINCOLN COUNTIES IN THE STATE OF NEVADA.

(a) DEFINITIONS.—In this section:

(1) AGREEMENT.—The term ''Agreement'' means the land exchange agreement between Aerojet-General Corporation and the United States, dated July 13, 1988.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(b) RELOCATION.—The Secretary shall, without consideration, relocate the right-of-way corridor described in subsection (c) to the area described in subsection (d).

(c) DESCRIPTION OF RIGHT-OF-WAY CORRIDOR.—The right-of-way corridor referred to in subsection (a) consists of the right-of-way corridor—

(1) numbered U–42519;

(2) referred to in the patent numbered 27–88–0013 and dated July 18, 1988; and

(3) more particularly described in section 14(a) of the Agreement.

(d) DESCRIPTION OF AREA.—The area referred to in subsection (a) consists of an area—

(1) 1,000 feet wide; and

(2) located west of and parallel to the centerline of United States Route 93.

Mr. ENSIGN. Mr. President, today it is a great privilege and honor for me to introduce the Clark County Conservation of Public Land and Natural Resources Act of 2002 with my good friend and colleague from Nevada, Senator HARRY REID.

The introduction of this legislation today is the culmination of over a year of work. We held public forums in Clark County to solicit the input of interested parties. My staff spent many hours with local government officials, the environmental community, multiple-use groups, utility providers, home developers, sportsmen, and other Nevadans to reach a compromise on how we tackle the tough issues we face in Clark County. While it is a daunting job to bring Nevadans with opposing perspectives together on the controversial topic of wilderness, I believe we have achieved a consensus that is good for all citizens in Clark County. We will look back 30 years from now and realize how this legislation contributed to the quality of life we cherish in southern Nevada.

Because the Federal government manages 87 percent of the land in Nevada, the federal presence imposes enormous barriers to land use planning in a state that, again, outpaces every other state in population growth. I know I speak for many Nevadans when I say that we wish we did not have so much federal land within our borders. But the reality is that we do, and that this legislation is necessary to plan for growth and to set aside our pristine lands for future generations to enjoy and visit. In many states, land use planning takes place in city council chambers. We do not have that luxury, as we have to obtain the consent of the Congress to make some of the most basic decisions. Despite those obstacles, Senator REID and I are putting forward legislation that is a model for fast-growing communities struggling to balance the equally important goals of environmental protection, planned residential and business development, and the allocation of scarce resources such as water.

One of my proudest achievements during my service in the U.S. House of Representatives was the enactment of the Southern Nevada Public Land Management Act, or what is probably better known in Nevada as the Ensign-Bryan bill. Like the legislation Senator REID and I are introducing today, the Ensign-Bryan bill was the product of bipartisan cooperation and the spirit of inclusion. Senator Bryan, who deserves much credit for that landmark measure, and I hosted a public lands task force to identify and propose solutions to the unique problems we faced in the Las Vegas Valley. One of the major reforms that came about because of the Ensign-Bryan bill was the change in the way public land is disposed of in the Las Vegas Valley. We drew a disposal boundary around the valley and asked the Bureau of Land Management to auction the land to the highest bidder, in consultation with local governments. The proceeds of those land auctions millions of dollars have been going into a special fund to build parks and trails, acquire environmentally sensitive land, initiate capital improvements in our beautiful recreation and conservations areas, and maintain the Clark County Multi-Species Habitat Conservation Plan. We also allocated funds for water infrastructure and to the general education fund of the State of Nevada. This legislation continues to encourage orderly growth, improves the environment, and benefits the schoolchildren of Nevada.

Federal land has become so valuable because of the infrastructure installed by private developers, local governments, and the taxpayers of Nevada. It is because of the phenomenal growth in southern Nevada that public land auctions have brought in millions of dollars. Eighty-five percent of the proceeds from public land auctions in southern Nevada are reinvested in environmental projects. So, I would challenge those who claim that the federal government is not getting its fair share of the proceeds from land sales. In fact,

the federal government is receiving large sums of money because of the value-added infrastructure supported by Nevadans.

In the Clark County Conservation of Public Lands and Natural Resources Act, we build upon the Southern Nevada Public Lands Management Act and settle a number of wilderness designations that have been pending since 1991. This bill designates 224,000 acres of BLM wilderness while it releases 231,000 acres of wilderness study areas. In the jurisdiction of the National Park Service adjacent to the Colorado River and Lake Mead, 184,000 acres of wilderness are designated. In all, 444,000 acres in Clark County will be added to our national wilderness preservation system. While the acreage is more than supported by a coalition of multiple-use advocates in Nevada, the acreage is about one-fifth of the amount requested by the Friends of Nevada Wilderness. This compromise is fair.

I am particularly proud that the bill creates a second National Conservation Area in southern Nevada, the Sloan Canyon National Conservation Area. Having such a magnificent resource at the edge of the City of Henderson will provide countless new recreation opportunities for those residents and provide open space that is so important to the quality of life in the Las Vegas Valley. I am happy we were able to improve the existing Red Rock National Conservation Area by adding pristine land to the NCA held by the Howard Hughes Corporation.

An important feature of this legislation I worked to include is the creation of a comprehensive Southern Nevada Litter Cleanup Campaign. As is the case in many desert communities, there is unfortunately a prevalence of discarded trash along our highways and on tracts of vacant BLM land within city limits. We must instill an ethic in our community and sense of awareness that we cannot continue to treat our desert lands as garbage dumps. While I attended college in Oregon, I saw how effective the ''Keep Oregon Green'' campaign worked. I am certain the same approach can produce results in southern Nevada, and that it can be accomplished through the leadership of volunteers, civic organizations, environmental groups, and private industry, without the bureaucracy. I look forward to leaving to my children a community that is much cleaner than the one we have today.

I worked to include protections in the Clark County Conservation of Public Land and Natural Resources so that existing access in wilderness is preserved. In addition to reserving motorized access through cherry-stemmed roads on maps referred to in the bill, we make it clear that reasonable access to water developments is permitted in wilderness areas. Groups such as the Fraternity of the Big Horn Sheep provide critical water to ensure the health of big horn sheep populations in southern Nevada. Of course, all valid existing rights are honored including grazing and mining. Buffers of at least 100 along each side of the road are preserved. We also authorize fire suppression and climatological data collection. All in all, reasonable access to wilderness has been achieved and I am especially appreciative of Senator REID's flexibility in addressing the concerns of multiple-use groups in this regard.

This legislation ensures Clark County's orderly growth over the next several decades through the establishment of educational and research institutions, industrial parks, and residential development. The original disposal boundary defined in the Ensign-Bryan Act has been expanded to accommodate planned growth in Clark County, the City of Las Vegas, the City of North Las Vegas, and the City of Henderson. We have some of the finest planned communities in the world in southern Nevada and I know that the new lands will be showcases for quality living for a broad spectrum of Nevadans. The bill sets aside land for the Clark County Department of Aviation for the development of the Ivanpah Airport south of Las Vegas, the only major international airport in the United States that will be constructed from scratch in the next ten years. And very importantly, we have opened up an energy corridor that will augment Nevada's and the Southwest's electricity needs.

I also wanted to mention the Clark County Multi-Species Habitat Conservation Plan. As the home to many threatened species, Clark County has entered into an agreement with the Fish and Wildlife Service so that the rapid growth we have been experiencing does not destroy critical plant and animal habitats. Senator REID and I have included language to ensure that the MSHCP is not revoked when releasing lands from wilderness study status. However, the agreement Senator REID and I reached does not mean that lands will be unavailable for multiple-use in the future; we wanted to give Clark County and the Fish and Wildlife Service the flexibility they need to amend the MSHCP as circumstances warrant, particularly as this legislation is implemented.

Senator REID and I went through a spirited campaign for the U.S. Senate against each other in 1998. It was a very close race and I conceded it by 428 votes. Our friendship is now strong, and I believe that this bill is a testament to the fact that legislators from different political perspectives can come together for the good of their state. It is not easy work to bridge philosophical differences, but it can and must be done for the sake of the people we represent.

I would like to thank Congressman JIM GIBBONS for his support of this measure in the U.S. House of Representatives. Congressman GIBBONS was an active participant in the development of this bill, and he offered several constructive and good changes to its content. I appreciate very much his guidance and assistance.

Finally, I would like to thank members of my staff who worked hard on the development of this bill here in Washington and in Nevada: John Lopez, Margot Allen, Julene Haworth, and Mac Bybee are talented Nevadans who care very much about Clark County and our great state. I also appreciate the input and assistance of Clint Bentley, the tireless organizer of the Nevada Land Users Coalition. Clint was an articulate and reasoned advocate of multiple use principles and ensured that the Nevada Land Users Coalition spoke with one voice during these negotiations.

I look forward to quick passage of the Clark County Conservation of Public Lands and Natural Resources in the 107th Congress.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3827. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill S. 625, to provide Federal assistance to States and local jurisdictions to prosecute hate crimes, and for other purposes; which was ordered to lie on the table.

SA 3828. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill S. 625, supra; which was ordered to lie on the table.

SA 3829. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 3823 submitted by Mr. HATCH and intended to be proposed to the bill (S. 625) to provide Federal assistance to States and local jurisdictions to prosecute hate crimes, and for other purposes; which was ordered to lie on the table.

SA 3830. Mr. MCCONNELL (for himself and Mr. KYL) submitted an amendment intended to be proposed to amendment SA 3815 submitted by Mr. MCCONNELL and intended to be proposed to the bill (S. 625) supra; which was ordered to lie on the table.

SA 3831. Mr. CONRAD proposed an amendment to the bill H.R. 8, to amend the Internal Revenue Code of 1986 to phaseout the estate and gift taxes over a 10-year period, and for other purposes.

TEXT OF AMENDMENTS

SA 3827. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill S. 625, to provide Federal assistance to States and local jurisdictions to prosecute hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. DEFINITION OF BORN-ALIVE INFANT.

(a) IN GENERAL.—Chapter 1 of title 1, United States Code, is amended by adding at the end the following:

''§ 8. 'Person', 'human being', 'child', and 'individual' as including born-alive infant

''(a) In determining the meaning of any Act of Congress, or of any ruling, regulation, or interpretation of the various administrative bureaus and agencies of the United States, the words 'person', 'human being', 'child', and 'individual', shall include every infant member of the species homo sapiens