

the House suspend the rules and pass the bill, H.R. 421.

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

A motion to reconsider was laid on the table.

#### FLORIDA NATIONAL FOREST LAND MANAGEMENT ACT OF 2003

Mr. PUTNAM. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 117) to authorize the Secretary of Agriculture to sell or exchange certain land in the State of Florida, and for other purposes.

The Clerk read as follows:

S. 117

*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 "Florida National Forest Land Management Act of 2003".

#### SEC. 2. DEFINITIONS.

In this Act:

(1) SECRETARY.—The term "Secretary" means the Secretary of Agriculture.

(2) STATE.—The term "State" means the State of Florida.

#### SEC. 3. SALE OR EXCHANGE OF LAND.

(a) IN GENERAL.—The Secretary may, under such terms and conditions as the Secretary may prescribe, sell or exchange any right, title, and interest of the United States in and to the parcels of Federal land in the State described in subsection (b).

(b) DESCRIPTION OF LAND.—The parcels of Federal land in the State referred to in subsection (a) consist of—

(1) tract A-942a, East Bay, Santa Rosa County, consisting of approximately 61 acres, and more particularly described as T. 1 S., R. 27 W., sec. 31, W $\frac{1}{2}$  of SW $\frac{1}{4}$ ;

(2) tract A-942b, East Bay, Santa Rosa County, consisting of approximately 40 acres, and more particularly described as T. 1 S., R. 27 W., sec. 38;

(3) tract A-942c, Ft. Walton, Okaloosa County, located southeast of the intersection of and adjacent to State Road 86 and Mooney Road, consisting of approximately 0.59 acres, and more particularly described as T. 1 S., R. 24 W., sec. 26;

(4) tract A-942d, located southeast of Crestview, Okaloosa County, consisting of approximately 79.90 acres, and more particularly described as T. 2 N., R. 23 W., sec. 2, NW $\frac{1}{4}$  NE $\frac{1}{4}$  and NE $\frac{1}{4}$  NW $\frac{1}{4}$ ;

(5) tract A-943, Okaloosa County Fairgrounds, Ft. Walton, Okaloosa County, consisting of approximately 30.14 acres, and more particularly described as T. 1 S., R. 24 W., sec. 26, S $\frac{1}{2}$ ;

(6) tract A-944, City Ball Park—Ft. Walton, Okaloosa County, consisting of approximately 12.43 acres, and more particularly described as T. 1 S., R. 24 W., sec. 26, S $\frac{1}{2}$ ;

(7) tract A-945, Landfill-Golf Course Driving Range, located southeast of Crestview, Okaloosa County, consisting of approximately 40.85 acres, and more particularly described as T. 2 N., R. 23 W., sec. 4, NW $\frac{1}{4}$  NE $\frac{1}{4}$ ;

(8) tract A-959, 2 vacant lots on the north side of Mischeaux Road in Bristol, Liberty County, consisting of approximately 0.5 acres, and more particularly described as T. 1 S., R. 7 W., sec. 6;

(9) tract C-3m-d, located southwest of Astor in Lake County, consisting of approximately 15.0 acres, and more particularly described as T. 15 S., R. 28 E., sec. 37;

(10) tract C-691, Lake County, consisting of the subsurface rights to approximately 40.76 acres of land, and more particularly described as T. 17 S., R. 29 E., sec. 25, SE $\frac{1}{4}$  NW $\frac{1}{4}$ ;

(11) tract C-2208b, Lake County, consisting of approximately 39.99 acres, and more particularly described as T. 17 S., R. 28 E., sec. 28, NW $\frac{1}{4}$  SE $\frac{1}{4}$ ;

(12) tract C-2209, Lake County, consisting of approximately 127.2 acres, as depicted on the map, and more particularly described as T. 17 S., R. 28 E., sec. 21, NE $\frac{1}{4}$  SW $\frac{1}{4}$ , SE $\frac{1}{4}$  NW $\frac{1}{4}$ , and SE $\frac{1}{4}$  NE $\frac{1}{4}$ ;

(13) tract C-2209b, Lake County, consisting of approximately 39.41 acres, and more particularly described as T. 17 S., R. 29 E., sec. 32, NE $\frac{1}{4}$  SE $\frac{1}{4}$ ;

(14) tract C-2209c, Lake County, consisting of approximately 40.09 acres, and more particularly described as T. 18 S., R. 28 E., sec. 14, SE $\frac{1}{4}$  SW $\frac{1}{4}$ ;

(15) tract C-2209d, Lake County, consisting of approximately 79.58 acres, and more particularly described as T. 18 S., R. 29 E., sec. 5, SE $\frac{1}{4}$  NW $\frac{1}{4}$ , NE $\frac{1}{4}$  SW $\frac{1}{4}$ ;

(16) tract C-2210, government lot 1, 20 recreational residential lots, and adjacent land on Lake Kerr, Marion County, consisting of approximately 30 acres, and more particularly described as T. 13 S., R. 25 E., sec. 22;

(17) tract C-2213, located in the F.M. Arrendondo grant, East of Ocala, Marion County, and including a portion of the land located east of the western right-of-way of State Highway 19, consisting of approximately 15.0 acres, and more particularly described as T. 14 and 15 S., R. 26 E., sec. 36, 38, and 40; and

(18) all improvements on the parcels described in paragraphs (1) through (17).

(c) LEGAL DESCRIPTION MODIFICATION.—The Secretary may, for the purposes of soliciting offers for the sale or exchange of land under subsection (d), modify the descriptions of land specified in subsection (b) based on—

(1) a survey; or

(2) a determination by the Secretary that the modification would be in the best interest of the public.

(d) SOLICITATIONS OF OFFERS.—

(1) IN GENERAL.—Subject to such terms and conditions as the Secretary may prescribe, the Secretary may solicit offers for the sale or exchange of land described in subsection (b).

(2) REJECTION OF OFFERS.—The Secretary may reject any offer received under this section if the Secretary determines that the offer—

(A) is not adequate; or

(B) is not in the public interest.

(e) METHODS OF SALE.—The Secretary may sell the land described in subsection (b) at public or private sale (including at auction), in accordance with any terms, conditions, and procedures that the Secretary determines to be appropriate.

(f) BROKERS.—In any sale or exchange of land described in subsection (b), the Secretary may—

(1) use a real estate broker; and

(2) pay the real estate broker a commission in an amount that is comparable to the amounts of commission generally paid for real estate transactions in the area.

(g) CONCURRENCE OF THE SECRETARY OF THE AIR FORCE.—A parcel of land described in paragraphs (1) through (7) of subsection (b) shall not be sold or exchanged by the Secretary without the concurrence of the Secretary of the Air Force.

(h) CASH EQUALIZATION.—Notwithstanding section 206(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(b)), if the value of non-Federal land for which Federal land is exchanged under this section is less than the value of the Federal land ex-

changed, the Secretary may accept a cash equalization payment in excess of 25 percent of the value of the Federal land.

(i) DISPOSITION OF PROCEEDS.—

(1) IN GENERAL.—The net proceeds derived from any sale or exchange under this Act shall be deposited in the fund established by Public Law 90-171 (commonly known as the "Sisk Act") (16 U.S.C. 484a).

(2) USE.—Amounts deposited under paragraph (1) shall be available to the Secretary for expenditure, without further appropriation, for—

(A) acquisition of land and interests in land for inclusion as units of the National Forest System in the State; and

(B) reimbursement of costs incurred by the Secretary in carrying out land sales and exchanges under this Act, including the payment of real estate broker commissions under subsection (f).

#### SEC. 4. ADMINISTRATION.

(a) IN GENERAL.—Land acquired by the United States under this Act shall be—

(1) subject to the Act of March 1, 1911 (commonly known as the "Weeks Act") (16 U.S.C. 480 et seq.); and

(2) administered in accordance with laws (including regulations) applicable to the National Forest System.

(b) APPLICABLE LAW.—The land described in section 3(b) shall not be subject to the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.).

(c) WITHDRAWAL.—Subject to valid existing rights, the land described in section 3(b) is withdrawn from location, entry, and patent under the public land laws, mining laws, and mineral leasing laws (including geothermal leasing laws).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. PUTNAM) and the gentleman from Texas (Mr. STENHOLM) each will control 20 minutes.

The Chair recognizes the gentleman from Florida (Mr. PUTNAM).

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

(Mr. PUTNAM asked and was given permission to revise and extend his remarks, and include extraneous material.)

Mr. PUTNAM. Mr. Speaker, I rise in support of Senate 117, the Florida National Forest Management Act of 2003. I commend the gentleman from Florida (Mr. MILLER), my good friend, for his leadership on this issue.

This bill allows the Secretary of Agriculture to solicit offers to sell or exchange 17 parcels of land within the National Forest system in Florida. These parcels, according to the Department of Agriculture are "isolated lands that no longer contain National Forest characteristics and are no longer manageable as National Forest system land." Many of the parcels this bill considers contain structures such as baseball fields and the Okaloosa County Fairgrounds.

The committee received letters of support from the Department of Agriculture and the concurrence of the Air Force for the sale or exchange of lands adjacent to Air Force property in Florida. All interested parties agree that this bill will improve ownership patterns, facilitate the best use of these lands, and enable the Forest Service to

achieve its land management objectives. I urge all the Members to support this important legislation.

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

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

Mr. Speaker, I rise in support of S. 117, the Florida National Forest Land Management Act of 2003. This legislation was introduced by Senator GRAHAM, was passed in the Senate by unanimous consent on March 4. The companion measure we consider tonight was introduced by the gentleman from Florida (Mr. MILLER).

This legislation was drafted with the help of the U.S. Forest Service and supported by the Air Force and will aid the agency with fire prevention and protection in the area.

Mr. Speaker, I urge my colleagues to support this legislation.

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

Mr. PUTNAM. Mr. Speaker, I include in the RECORD jurisdiction-related letters between the Committee on Agriculture and the Committee on Resources regarding this legislation.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON RESOURCES,  
Washington, DC, November 19, 2003.

Hon. BOB GOODLATTE,  
Committee on Agriculture, House of Representatives,  
Washington, DC.

DEAR MR. CHAIRMAN: I understand that you wish to consider H.R. 482, on the Floor of the House of Representatives today. This bill authorizes the Secretary of Agriculture to convey several National Forest System parcels in the State of Florida. The bill was referred solely to the Committee on Agriculture. However, a closer reading shows that 16 of the 17 parcels are located in the Choctawhatchee and Ocala National Forests, which are forests created from the public domain. Those forests are under the jurisdiction of the Committee on Resources under Rule X of the Rules of the House of Representatives. In addition, the bill waives a provision of the Federal Land Policy Management Act, a statute also under Resources' purview.

My staff has reviewed the bill and we have no problem with the substance. Because of the limited number of days remaining in the first session of the 108th Congress and the importance of this bill to Congressman Jeff Miller, I will not insist on a referral of the bill. Of course, this action does not waive our jurisdiction over the bill, nor is this action to be construed as a precedent for other, similar legislation. In addition, I would ask you to support my request to have the Committee on Resources to be represented on any conference on H.R. 482 or a similar bill, should one become necessary. Finally, I would include this letter and any response you might have in the Congressional Record during debate on H.R. 482.

Thank you for your consideration of my request. I appreciate our continued excellent working relationship on forest issues and look forward to working with you on other bills this Congress.

Sincerely,

RICHARD W. POMBO,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON AGRICULTURE,  
Washington, DC, November 19, 2003.

Hon. RICHARD POMBO,  
Committee on Resources,  
Washington, DC.

DEAR MR. CHAIRMAN: I wanted to take this opportunity to thank you for your letter regarding H.R. 482. As you know, its companion bill S. 117 is being considered on the floor of the House of Representatives today. The bill, S. 117 would authorize the Secretary of Agriculture to sell or exchange certain land in the State of Florida, and for other purposes.

Both S. 117 and H.R. 482 were referred solely to the House Agriculture Committee. However, I understand that your committee could have received sequential jurisdiction over this legislation. Therefore, I understand and appreciate your willingness to forego committee referral of the bill for the sake of timeliness and the importance of this legislation to Congressman Miller of Florida.

I support your request to have the Committee on Resources be represented on any conference on S. 117 or a similar bill, should one be necessary. However, after passage, this bill will move to the President for his approval.

Thank you in advance for your consideration of this request.

Sincerely,

BOB GOODLATTE,  
Chairman.

Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. MILLER), the sponsor of the legislation.

Mr. MILLER of Florida. Mr. Speaker, I thank my colleague, the gentleman from Florida (Mr. PUTNAM), from Polk County for yielding me this time.

Mr. Speaker, I too rise today in support of Senate Bill 117, the Florida National Forest Land Management Act of 2003. This legislation does allow the State of Florida and the U.S. Department of Forestry to close the loop on a patchwork of land that goes from the panhandle of Florida to the tip of the peninsula.

In my district alone some of this land has transferred from the Forestry Service to the Air Force and back to the Forestry Service again. In Okaloosa County, 80 acres are currently leased for the county fairgrounds, complete with ball fields. This parcel is a parcel of land that the Department of Forestry does not want or need, but cannot convey unless this legislation is passed.

Under the Federal sites administration law, Congress can identify specific excess land that can be sold by the Forestry Service and with the money earned purchase State forest areas. This method has already been used in Texas, Mississippi, and in Virginia. For Florida, and, more specifically, my district, this is a win-win. Okaloosa County gets the land; the Department of Forestry can use the money it receives to purchase additional property.

Under the legislation, which has been passed in the Senate and approved by the House Committee on Agriculture, the Secretary of Agriculture may solicit offers for the sale or exchange of the land or reject any offer received under this section if the Secretary de-

termines that the offer is inadequate or is not in the best interest of the public.

For parcels that run adjacent to or are in any way connected to the Air Force's property, which some parcels are, the sale or exchange cannot be executed by the Secretary of Agriculture without the concurrence of the Secretary of the Air Force.

Additionally, the Congressional Budget Office estimates that enacting this legislation would not significantly affect the Federal budget, and the measure contains no intergovernmental or private sector mandates as defined in the Unfunded Mandates Reform Act and would have no significant impact on the budgets of State, local, or tribal governments.

Therefore, Mr. Speaker, I would like to thank the leadership for making room on today's calendar for this important piece of legislation. I would like to thank the chairman and also my colleague, the gentleman from Florida (Mr. PUTNAM), and the ranking member, the gentleman from Texas (Mr. STENHOLM), for their assistance in seeing that this measure comes to the floor. I ask for their support and others.

Mr. PUTNAM. Mr. Speaker, I have no further speakers on this issue. We do thank the gentleman from Texas (Mr. STENHOLM) and the rest of the minority for their assistance in moving this legislation as quickly as we have.

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

THE SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. PUTNAM) that the House suspend the rules and pass the Senate bill, S. 117.

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

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. PUTNAM. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on S. 117.

THE SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

THE SPEAKER pro tempore. Debate has been concluded on all motions to suspend the rules.

Pursuant to the provisions of clause 8 of rule XX, the Chair will now put the question on each motion to suspend the rules on which further proceedings were postponed in the order in which that motion was entertained.

Votes will be taken in the following order:

H. Con. Res. 288, by the yeas and nays;

H. Res. 393, by the yeas and nays;