

(3) NON-FEDERAL PARCELS.—The term “non-Federal parcels” means the 3 parcels of non-Federal land comprising approximately 5.9 acres that are located near MacGregor Ranch, Larimer County, Colorado, as depicted on the map.

(4) PARK.—The term “Park” means Rocky Mountain National Park in the State of Colorado.

**SEC. 3. ROCKY MOUNTAIN NATIONAL PARK BOUNDARY ADJUSTMENT.**

(a) EXCHANGE OF LAND.—

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

(2) CONVEYANCE.—Not later than 60 days after the date on which the Secretary receives an offer under paragraph (1), the Secretary shall convey the Federal parcel in exchange for the non-Federal parcels.

(3) CONSERVATION EASEMENT.—As a condition of the exchange of land under paragraph (2), the Secretary shall reserve a perpetual easement to the Federal parcel for the purposes of protecting, preserving, and enhancing the conservation values of the Federal parcel.

(b) BOUNDARY ADJUSTMENT; MANAGEMENT OF LAND.—On acquisition of the non-Federal parcels under subsection (a)(2), the Secretary shall—

(1) adjust the boundary of the Park to reflect the acquisition of the non-Federal parcels; and

(2) manage the non-Federal parcels as part of the Park, in accordance with any laws (including regulations) applicable to the Park.

The committee amendment was agreed to.

The bill (S. 2181), as amended, was read the third time and passed, as follows:

(The bill will be printed in a future edition of the RECORD.)

**CARIBBEAN NATIONAL FOREST ACT OF 2004**

The bill (S. 2334) to designate certain National Forest System land in the Commonwealth of Puerto Rico as components of the National Wilderness Preservation System, was considered, read the third time, and passed; as follows:

S. 2334

*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 “Caribbean National Forest Act of 2004”.

**SEC. 2. DEFINITIONS.**

In this Act:

(1) MAP.—The term “map” means the map dated April 13, 2004 and entitled “El Toro Proposed Wilderness Area”.

(2) SECRETARY.—The term “Secretary” means the Secretary of Agriculture.

**SEC. 3. WILDERNESS DESIGNATION, CARIBBEAN NATIONAL FOREST, PUERTO RICO.**

(a) EL TORO WILDERNESS.—

(1) IN GENERAL.—In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1113 et seq.), the approximately 10,000 acres of land in the Caribbean National Forest/Luquillo Experimental Forest in the Commonwealth of Puerto Rico described in the map are designated as wilderness and as a component of the National Wilderness Preservation System.

(2) DESIGNATION.—The land designated in paragraph (1) shall be known as the El Toro Wilderness.

(3) WILDERNESS BOUNDARIES.—The El Toro Wilderness shall consist of the land described in the map.

(b) MAP AND BOUNDARY DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall—

(A) prepare a boundary description of the El Toro Wilderness; and

(B) submit the map and the boundary description to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives.

(2) PUBLIC INSPECTION AND TREATMENT.—The map and the boundary description prepared under paragraph (1)(A)—

(A) shall be on file and available for public inspection in the office of the Chief of the Forest Service; and

(B) shall have the same force and effect as if included in this Act.

(3) ERRORS.—The Secretary may correct clerical and typographical errors in the map and the boundary description prepared under paragraph (1)(A).

(c) ADMINISTRATION.—

(1) IN GENERAL.—Subject to valid existing rights, the Secretary shall administer the El Toro Wilderness in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.) and this Act.

(2) EFFECTIVE DATE OF WILDERNESS ACT.—With respect to the El Toro Wilderness, any reference in the Wilderness Act (16 U.S.C. 1131 et seq.) to the effective date of that Act shall be deemed to be a reference to the date of the enactment of this Act.

(d) SPECIAL MANAGEMENT CONSIDERATIONS.—Consistent with the Wilderness Act (16 U.S.C. 1131 et seq.), nothing in this Act precludes the installation and maintenance of hydrologic, meteorological, climatological, or atmospheric data collection and remote transmission facilities, or any combination of those facilities, in any case in which the Secretary determines that the facilities are essential to the scientific research purposes of the Luquillo Experimental Forest.

**MONTANA NATIONAL FORESTS BOUNDARY ADJUSTMENT ACT OF 2004**

The Senate proceeded to consider the bill (S. 2408) to adjust the boundaries of the Helena, Lolo, and Beaverhead-Deerlodge National Forests in the State of Montana, which had been reported from the Committee on Energy and Natural Resources, with an amendment to strike all after enacting clause and insert in lieu thereof the following: (Strike the part shown in black brackets and insert the part shown in italic.)

S. 2408

*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 “Montana National Forests Boundary Adjustment Act of 2004”.

**SECTION 2. DEFINITIONS.**

[In this Act:

(1) FOREST.—The term “Forest” means the Helena National Forest, Lolo National Forest, and Beaverhead-Deerlodge National Forest in the State of Montana.

(2) MAP.—The term “map” means—

(A) the map entitled “Blackfoot Community Project Acquisition Proposed Adjust-

ments, Helena National Forest Boundary” and dated March 11, 2004;

(B) the map entitled “Blackfoot Community Project Acquisition Region One, Lolo National Forest Boundary” and dated March 11, 2004; and

(C) the map entitled “Blackfoot Community Project Acquisition Proposed Adjustments, Beaverhead-Deerlodge National Forest Boundary Adjustment” and dated March 11, 2004.

(3) SECRETARY.—The term “Secretary” means the Secretary of Agriculture.

**SECTION 3. HELENA, LOLO, AND BEAVERHEAD-DEERLODGE NATIONAL FORESTS BOUNDARY ADJUSTMENT.**

(a) IN GENERAL.—The boundaries of the Forests are modified as depicted on the maps.

(b) MAPS.—

(1) AVAILABILITY.—The maps shall be on file and available for public inspection in—

(A) the Office of the Chief of the Forest Service; and

(B) the office of the Regional Forester, Missoula, Montana.

(2) CORRECTION AUTHORITY.—The Secretary may make technical corrections to the maps.

(c) ADMINISTRATION.—Any land or interest in land acquired within the boundaries of the Forests for National Forest System purposes shall be managed in accordance with—

(1) the Act of March 1, 1911 (commonly known as the “Weeks Law”) (16 U.S.C. 480 et seq.); and

(2) the laws (including regulations) applicable to the National Forest System.

(d) LAND AND WATER CONSERVATION FUND.—For purposes of section 7 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–9), the boundaries of the Forests, as adjusted under subsection (a), shall be considered to be the boundaries of the Forests as of January 1, 1965.

(e) EFFECT.—Nothing in this Act limits the authority of the Secretary to adjust the boundaries of the Forests under section 11 of the Act of March 1, 1911 (16 U.S.C. 521).]

**SECTION 1. SHORT TITLE.**

*This Act may be cited as the “Montana National Forests Boundary Adjustment Act of 2004”.*

**SEC. 2. DEFINITIONS.**

*In this Act:*

(1) FORESTS.—The term “Forests” means the Helena National Forest, Lolo National Forest, and Beaverhead-Deerlodge National Forest in the State of Montana.

(2) MAP.—The term “map” means—

(A) the map entitled “Helena National Forest Boundary Adjustment Northern Region, USDA Forest Service” and dated September 13, 2004;

(B) the map entitled “Lolo National Forest Boundary Adjustment Northern Region, USDA Forest Service” and dated September 13, 2004; and

(C) the map entitled “Deerlodge National Forest Boundary Adjustment Northern Region USDA Forest Service” and dated September 13, 2004.

(3) SECRETARY.—The term “Secretary” means the Secretary of Agriculture.

**SEC. 3. HELENA, LOLO, AND BEAVERHEAD-DEERLODGE NATIONAL FORESTS BOUNDARY ADJUSTMENT.**

(a) IN GENERAL.—The boundaries of the Forests are modified as depicted on the maps.

(b) MAPS.—

(1) AVAILABILITY.—The maps shall be on file and available for public inspection in—

(A) the Office of the Chief of the Forest Service; and

(B) the office of the Regional Forester, Missoula, Montana.

(2) CORRECTION AUTHORITY.—The Secretary may make technical corrections to the maps.

(c) ADMINISTRATION.—Any land or interest in land acquired within the boundaries of the Forests for National Forest System purposes shall be managed in accordance with—

(1) the Act of March 1, 1911 (commonly known as the “Weeks Law”) (16 U.S.C. 480 et seq.); and

(2) the laws (including regulations) applicable to the National Forest System.

(d) LAND AND WATER CONSERVATION FUND.—For purposes of section 7 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460–9), the boundaries of the Forests, as adjusted under subsection (a), shall be considered to be the boundaries of the Forests as of January 1, 1965.

(e) EFFECT.—Nothing in this Act limits the authority of the Secretary to adjust the boundaries of the Forests under section 11 of the Act of March 1, 1911 (16 U.S.C. 521).

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

The bill (S. 2408), as amended, was read the third time and passed.

**REDWOOD NATIONAL PARK BOUNDARY ADJUSTMENT ACT OF 2004**

The bill (S. 2567) to adjust the boundary of Redwood National Park in the State of California, was considered, read the third time, and passed; as follows:

S. 2567

*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 “Redwood National Park Boundary Adjustment Act of 2004”.

**SEC. 2. REDWOOD NATIONAL PARK BOUNDARY ADJUSTMENT.**

Section 2(a) of the Act of Public Law 90–545 (16 U.S.C. 79b(a)) is amended—

(1) in the first sentence, by striking “(a) The area” and all that follows through the period at the end and inserting the following: “(a)(1) The Redwood National Park consists of the land generally depicted on the map entitled ‘Redwood National Park, Revised Boundary’, numbered 167/60502, and dated February, 2003.”;

(2) by inserting after paragraph (1) (as designated by paragraph (1)) the following:

“(2) The map referred to in paragraph (1) shall be—

“(A) on file and available for public inspection in the appropriate offices of the National Park Service; and

“(B) provided by the Secretary of the Interior to the appropriate officers of Del Norte and Humboldt Counties, California.”; and

(3) in the second sentence—

(A) by striking “The Secretary” and inserting the following:

“(3) The Secretary”; and

(B) by striking “one hundred and six thousand acres” and inserting “133,000 acres”.

**PECOS NATIONAL HISTORICAL PARK LAND EXCHANGE ACT OF 2004**

The Senate proceeded to consider the bill (S. 2622) to provide for the exchange of certain Federal land in the Santa Fe National Forest and certain non-Federal land in the Pecos National Historical Park in the State of New Mexico, which had been reported from the Committee on Energy and Natural Resources, with an amendment to

strike all after the enacting clause and insert in lieu thereof the following:

(Strike the part shown in black brackets and insert the part shown in italic.)

S. 2622

*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 “Pecos National Historical Park Land Exchange Act of 2004”.

**SEC. 2. DEFINITIONS.**

【In this Act:

【(1) FEDERAL LAND.—The term “Federal land” means the approximately 160 acres of Federal land within the Santa Fe National Forest in the State, as depicted on the map.

【(2) LANDOWNER.—The term “landowner” means the 1 or more owners of the non-Federal land.

【(3) MAP.—The term “map” means the map entitled “Proposed Land Exchange for Pecos National Historical Park”, numbered 430/80,054, dated November 19, 1999, and revised September 18, 2000.

【(4) NON-FEDERAL LAND.—The term “non-Federal land” means the approximately 154 acres of non-Federal land in the Park, as depicted on the map.

【(5) PARK.—The term “Park” means the Pecos National Historical Park in the State.

【(6) SECRETARIES.—The term “Secretaries” means the Secretary of the Interior and the Secretary of Agriculture, acting jointly.

【(7) STATE.—The term “State” means the State of New Mexico.

**SEC. 3. LAND EXCHANGE.**

【(a) IN GENERAL.—On conveyance by the landowner to the Secretary of the Interior of the non-Federal land, title to which is acceptable to the Secretary of the Interior.

【(1) the Secretary of Agriculture shall, subject to the conditions of this Act, convey to the landowner the Federal land; and

【(2) the Secretary of the Interior shall, subject to the conditions of this Act, grant to the landowner the easement described in subsection (b).

【(b) EASEMENT.—

【(1) IN GENERAL.—The easement referred to in subsection (a)(2) is an easement (including an easement for service access) for water pipelines to 2 well sites located in the Park, as generally depicted on the map.

【(2) ROUTE.—The Secretary of the Interior, in consultation with the landowner, shall determine the appropriate route of the easement through the Park.

【(3) TERMS AND CONDITIONS.—The easement shall include such terms and conditions relating to the use of, and access to, the well sites and pipeline, as the Secretary of the Interior, in consultation with the landowner, determines to be appropriate.

【(4) APPLICABLE LAW.—The easement shall be established, operated, and maintained in compliance with applicable Federal law.

【(c) VALUATION, APPRAISALS, AND EQUALIZATION.—

【(1) IN GENERAL.—The value of the Federal land and non-Federal land—

【(A) shall be equal, as determined by appraisals conducted in accordance with paragraph (2); or

【(B) if the value is not equal, shall be equalized in accordance with paragraph (3).

【(2) APPRAISALS.—

【(A) IN GENERAL.—The Federal land and non-Federal land shall be appraised by an independent appraiser selected by the Secretaries.

【(B) REQUIREMENTS.—An appraisal conducted under subparagraph (A) shall be conducted in accordance with—

【(i) the Uniform Appraisal Standards for Federal Land Acquisition; and

【(ii) the Uniform Standards of Professional Appraisal Practice.

【(C) APPROVAL.—The appraisals conducted under this paragraph shall be submitted to the Secretary of the Interior for approval.

【(3) EQUALIZATION OF VALUES.—

【(A) IN GENERAL.—If the values of the non-Federal land and the Federal land are not equal, the values may be equalized by—

【(i) the Secretary of the Interior making a cash equalization payment to the landowner;

【(ii) the landowner making a cash equalization payment to the Secretary of Agriculture; or

【(iii) reducing the acreage of the non-Federal land or the Federal land, as appropriate.

【(B) CASH EQUALIZATION PAYMENTS.—Any amounts received by the Secretary of Agriculture as a cash equalization payment under section 206(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(b)) shall—

【(i) be deposited in the fund established by Public Law 90–171 (commonly known as the “Sisk Act”) (16 U.S.C. 484a); and

【(ii) be available for expenditure, without further appropriation, for the acquisition of land and interests in land in the State.

【(d) COSTS.—Before the completion of the exchange under this section, the Secretaries and the landowner shall enter into an agreement that allocates the costs of the exchange between the Secretaries and the landowner.

【(e) APPLICABLE LAW.—Except as otherwise provided in this Act, the exchange of land and interests in land under this Act shall be in accordance with—

【(1) section 206 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716); and

【(2) other applicable laws, including the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

【(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretaries may require, in addition to any requirements under this Act, such terms and conditions relating to the exchange of Federal land and non-Federal land and the granting of easements under this Act as the Secretaries determine to be appropriate to protect the interests of the United States.

【(g) COMPLETION OF THE EXCHANGE.—

【(1) IN GENERAL.—The exchange of Federal land and non-Federal land shall be completed not later than 180 days after the later of—

【(A) the date on which the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) have been met; or

【(B) the date on which the Secretary of the Interior approves the appraisals under subsection (c)(2)(C).

【(2) NOTICE.—The Secretaries shall submit to Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives notice of the completion of the exchange of Federal land and non-Federal land under this Act.

**SEC. 4. ADMINISTRATION.**

【(a) IN GENERAL.—The Secretary of the Interior shall administer the non-Federal land acquired under this Act in accordance with the laws generally applicable to units of the National Park System, including the Act of August 25, 1916 (commonly known as the “National Park Service Organic Act”) (16 U.S.C. 1 et seq.).

【(b) MAPS.—

【(1) IN GENERAL.—The map shall be on file and available for public inspection in the appropriate offices of the Secretaries.

【(2) TRANSMITTAL OF REVISED MAP TO CONGRESS.—Not later than 180 days after completion of the exchange, the Secretaries shall