

(ii) the recreational fee demonstration program established under section 315 of the Department of the Interior and Related Agencies Appropriations Act, 1996 (16 U.S.C. 4601-6a note); or

(iii) the National Park Passport Program established under section 602 of the National Parks Omnibus Management Act of 1998 (16 U.S.C. 5992).

(B) Emergency appropriations for flood recovery at Yosemite National Park.

(f) DEFINITIONS.—For the purposes of this title, the following definitions apply:

(1) LOCAL EDUCATIONAL AGENCIES.—The term “local educational agencies” has the meaning given that term in section 9101(26) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(26)).

(2) EDUCATIONAL SERVICES.—The term “educational services” means services that may include maintenance and minor upgrades of facilities and transportation to and from school.

(3) PARK.—The term “Park” means Yosemite National Park.

(4) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

**SEC. 103. AUTHORIZATION FOR PARK FACILITIES TO BE LOCATED OUTSIDE THE BOUNDARIES OF YOSEMITE NATIONAL PARK; FEES.**

(a) AUTHORIZATION FOR PARK FACILITIES TO BE LOCATED OUTSIDE THE BOUNDARIES OF YOSEMITE NATIONAL PARK.—Section 814(c) of the Omnibus Parks and Public Lands Management Act of 1996 (16 U.S.C. 346e) is amended—

(1) in the first sentence—

(A) by inserting “and Yosemite National Park” after “Zion National Park”; and

(B) by inserting “transportation systems and” before “the establishment of”; and

(2) by striking “park” each place it appears and inserting “parks”.

(b) FEES.—Section 501 of the National Parks Omnibus Management Act of 1998 (16 U.S.C. 5981) is amended in the first sentence by inserting “, cooperative agreement, or other contractual agreement” after “contract”.

**TITLE II—RANCHO CORRAL DE TIERRA GOLDEN GATE NATIONAL RECREATION AREA BOUNDARY ADJUSTMENT**

**SEC. 201. SHORT TITLE.**

This title may be cited as the “Rancho Corral de Tierra Golden Gate National Recreation Area Boundary Adjustment Act”.

**SEC. 202. GOLDEN GATE NATIONAL RECREATION AREA, CALIFORNIA.**

(a) BOUNDARY ADJUSTMENT.—Section 2(a) of Public Law 92-589 (16 U.S.C. 460bb-1(a)) is amended—

(1) by striking “The recreation area shall comprise” and inserting the following:

“(1) INITIAL LANDS.—The recreation area shall comprise”; and

(2) by striking “The following additional lands are also” and all that follows through the period at the end of the subsection and inserting the following new paragraphs:

“(2) ADDITIONAL LANDS.—In addition to the lands described in paragraph (1), the recreation area shall include the following:

“(A) The parcels numbered by the Assessor of Marin County, California, 119-040-04, 119-040-05, 119-040-18, 166-202-03, 166-010-06, 166-010-07, 166-010-24, 166-010-25, 119-240-19, 166-010-10, 166-010-22, 119-240-03, 119-240-51, 119-240-52, 119-240-54, 166-010-12, 166-010-13, and 119-235-10.

“(B) Lands and waters in San Mateo County generally depicted on the map entitled ‘Sweeney Ridge Addition, Golden Gate National Recreation Area’, numbered NRA GG-80,000-A, and dated May 1980.

“(C) Lands acquired under the Golden Gate National Recreation Area Addition Act of 1992 (16 U.S.C. 460bb-1 note; Public Law 102-299).

“(D) Lands generally depicted on the map entitled ‘Additions to Golden Gate National Recreation Area’, numbered NPS-80-076, and dated July 2000/PWR-PLRPC.

“(E) Lands generally depicted on the map entitled ‘Rancho Corral de Tierra Additions to the Golden Gate National Recreation Area’, numbered NPS-80,079E, and dated March 2004.

“(3) ACQUISITION LIMITATION.—The Secretary may acquire land described in paragraph (2)(E) only from a willing seller.”.

(b) ADVISORY COMMISSION.—Section 5 of Public Law 92-589 (16 U.S.C. 460bb-4) is amended—

(1) by striking subsection (b) and inserting the following new subsection:

“(b) MEMBERSHIP.—The Commission shall be composed of 18 members appointed by the Secretary for terms of five years each. In appointing such members, the Secretary shall ensure that the interests of local, historic recreational users of the recreation area are represented.”; and

(2) in subsection (g), by striking “cease to exist thirty years after the enactment of this Act” and inserting “terminate on December 31, 2014”.

**SEC. 203. MANZANAR NATIONAL HISTORIC SITE ADVISORY COMMISSION.**

Section 105(h) of Public Law 102-248 (16 U.S.C. 461 note) is amended by striking “10 years after the date of enactment of this title” and inserting “on December 31, 2013”.

Mr. ALEXANDER. I ask unanimous consent that the substitute amendment at the desk be agreed to, the committee-reported amendment, as amended, be agreed to, the bill as amended be read a third time and passed, the amendment to the title be agreed to, the motions to reconsider be laid on the table en bloc, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 4084) was agreed to.

(The text of the amendment is printed in today's RECORD under “Text of Amendments.”)

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

The bill (H.R. 620), as amended, was read the third time and passed.

The title was amended so as to read:

“An Act to authorize the Secretary of the Interior to provide supplemental funding and other services that are necessary to assist certain local school districts in the State of California in providing educational services for students attending schools located within Yosemite National Park, to authorize the Secretary of the Interior to adjust the boundaries of the Golden Gate National Recreation Area, and for other purposes.”.

**TO PROVIDE FOR THE CONVEYANCE OF FEDERAL LANDS, IMPROVEMENTS, EQUIPMENT, AND RESOURCE MATERIALS AT THE OXFORD RESEARCH STATION IN GRANVILLE COUNTY, NORTH CAROLINA, TO THE STATE OF NORTH CAROLINA**

Mr. ALEXANDER. Mr. President, I ask unanimous consent the Senate now proceed to the immediate consideration of H.R. 2119, which is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 2119) to provide for the conveyance of Federal lands, improvements, equip-

ment, and resource materials at the Oxford Research Station in Granville County, North Carolina, to the State of North Carolina, to provide for the conveyance of Federal lands, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. ALEXANDER. I ask unanimous consent the bill be read a third time and passed, the motion to reconsider be laid on the table, and any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 2119) was read the third time and passed.

**SPECIALTY CROPS COMPETITIVENESS ACT OF 2004**

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 3242, which is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 3242) to ensure an abundant and affordable supply of highly nutritious fruits, vegetables, and other specialty crops for American consumers and international markets by enhancing the competitiveness of United States-grown specialty crops, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. ALEXANDER. I ask unanimous consent the bill be read a third time and passed and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 3242) was read the third time and passed.

**EDWARD H. McDANIEL AMERICAN LEGION POST NO. 22 LAND CONVEYANCE ACT**

Mr. ALEXANDER. Mr. President, I ask the Chair lay before the Senate a message from the House of Representatives on the bill (S. 1521) to direct the Secretary of the Interior to convey certain land to the Edward H. McDaniel American Legion Post No. 22 in Pahrump, Nevada, for the construction of a post building and memorial park for use by the American Legion, other veterans' groups, and the local community.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

S. 1521

*Resolved*, That the bill from the Senate (S. 1521) entitled “An Act to direct the Secretary of the Interior to convey certain land to the Edward H. McDaniel American Legion Post No. 22 in Pahrump, Nevada, for the construction of a post building and memorial park for use by the American Legion, other veterans' groups, and the local community”, do pass with the following amendments:

Strike out all after the enacting clause and insert:

**TITLE I—LAND CONVEYANCE****SEC. 101. SHORT TITLE.**

This Act may be cited as the “Edward H. McDaniel American Legion Post No. 22 Land Conveyance Act”.

**SEC. 102. DEFINITIONS.**

In this Act:

(1) **POST NO. 22.**—The term “Post No. 22” means the Edward H. McDaniel American Legion Post No. 22 in Pahrump, Nevada.

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

**SEC. 103. CONVEYANCE OF LAND TO EDWARD H. MCDANIEL AMERICAN LEGION POST NO. 22.**

(a) **CONVEYANCE ON CONDITION SUBSEQUENT.**—Not later than 180 days after the date of enactment of this Act, subject to valid existing rights and the condition stated in subsection (c) and in accordance with the Act of June 14, 1926 (commonly known as the “Recreation and Public Purposes Act”) (43 U.S.C. 869 et seq.), the Secretary shall convey to Post No. 22, for no consideration, all right, title, and interest of the United States in and to the parcel of land described in subsection (b).

(b) **DESCRIPTION OF LAND.**—The parcel of land referred to in subsection (b) is the parcel of Bureau of Land Management land that—

(1) is bounded by Route 160, Bride Street, and Dandelion Road in Nye County, Nevada;

(2) consists of approximately 4.5 acres of land; and

(3) is more particularly described as a portion of the S  $\frac{1}{4}$  of section 29, T. 20 S., R. 54 E., Mount Diablo and Base Meridian.

(c) **CONDITION ON USE OF LAND.**—

(1) **IN GENERAL.**—Post No. 22 and any successors of Post No. 22 shall use the parcel of land described in section (b) for the construction and operation of a post building and memorial park for use by Post No. 22, other veterans groups, and the local community for events and activities.

(2) **REVERSION.**—Except as provided in paragraph (3), if the Secretary, after notice to Post No. 22 and an opportunity for a hearing, makes a finding that Post No. 22 has used or permitted the use of the parcel for any purpose other than the purpose specified in paragraph (1) and Post No. 22 fails to discontinue that use, title to the parcel shall revert to the United States, to be administered by the Secretary.

(3) **WAIVER.**—The Secretary may waive the requirements of paragraph (2) if the Secretary determines that a waiver would be in the best interests of the United States.

**TITLE II—EXTENSIONS****SEC. 201. AUTHORIZATION AND APPROPRIATION EXTENSIONS.**

Division II of the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104-333; 16 U.S.C. 461 note) is amended—

(1) in each of sections 107, 208, 408, 507, 811, and 910, by striking “September 30, 2012” and inserting “September 30, 2027”;

(2) in each of sections 108(a), 209(a), 409(a), 508(a), 812(a), and 909(c), by striking “\$10,000,000” and inserting “\$20,000,000”; and

(3) in title VIII, by striking “Canal National Heritage Corridor” each place it appears in the section headings and text and inserting “National Heritage Canalway”.

**TITLE III—NATIONAL COAL HERITAGE AREA****SEC. 301. NATIONAL COAL HERITAGE AREA.**

(a) **NATIONAL COAL HERITAGE AREA AUTHORITY; BOUNDARY REVISION.**—Title I of division II of the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104-333; 16 U.S.C. 461 note) is amended as follows:

(1) In section 103(b), by inserting “(1)” before “the counties” and by inserting the following before the period: “; (2) Lincoln County, West Virginia; and (3) Paint Creek and Cabin Creek in Kanawha County, West Virginia”.

(2) In section 104, by striking “Governor” and all that follows through “organizations” in the matter preceding paragraph (1) and inserting “National Coal Heritage Area Authority, a public corporation and government instrumentality established by the State of West Virginia, pursuant to which the Secretary shall assist the National Coal Heritage Area Authority”.

(3) In section 105—

(A) by striking “paragraph (2) of”;

(B) by adding at the end the following new sentence: “Resources within Lincoln County, West Virginia, and Paint Creek and Cabin Creek within Kanawha County, West Virginia, shall also be eligible for assistance as determined by the National Coal Heritage Area Authority.”

(4) In section 106(a)—

(A) by striking “Governor” and all that follows through “and Parks” and inserting “National Coal Heritage Area Authority”; and

(B) in paragraph (3), by striking “State of West Virginia” and all that follows through “entities” and inserting “National Coal Heritage Area Authority”.

(b) **AGREEMENT CONTINUING IN EFFECT.**—The contractual agreement entered into by the Secretary of the Interior and the Governor of West Virginia prior to the date of the enactment of this Act pursuant to section 104 of title I of division II of the Omnibus Parks and Public Lands Management Act of 1996 (16 U.S.C. 461 note) shall be deemed as continuing in effect, except that such agreement shall be between the Secretary and the National Coal Heritage Area Authority.

**TITLE IV—COASTAL HERITAGE TRAIL ROUTE IN NEW JERSEY****SEC. 401. REAUTHORIZATION OF APPROPRIATIONS FOR COASTAL HERITAGE TRAIL ROUTE IN NEW JERSEY.**

(a) **REAUTHORIZATION.**—Section 6 of Public Law 100-515 (16 U.S.C. 1244 note) is amended—

(1) in subsection (b)(1), by striking “\$4,000,000” and all that follows and inserting “such sums as may be necessary.”; and

(2) in subsection (c), by striking “10” and inserting “12”.

(b) **STRATEGIC PLAN.**—

(1) **IN GENERAL.**—The Secretary of the Interior shall, by not later than 2 years after the date of the enactment of this Act, prepare a strategic plan for the New Jersey Coastal Heritage Trail Route.

(2) **CONTENTS.**—The strategic plan shall describe—

(A) opportunities to increase participation by national and local private and public interests in planning, development, and administration of the New Jersey Coastal Heritage Trail Route; and

(B) organizational options for sustaining the New Jersey Coastal Heritage Trail Route.

**TITLE V—ILLINOIS AND MICHIGAN CANAL NATIONAL HERITAGE CORRIDOR****SEC. 501. SHORT TITLE.**

This title may be cited as the “Illinois and Michigan Canal National Heritage Corridor Act Amendments of 2004”.

**SEC. 502. TRANSITION AND PROVISIONS FOR NEW MANAGEMENT ENTITY.**

The Illinois and Michigan Canal National Heritage Corridor Act of 1984 (Public Law 98-398; 16 U.S.C. 461 note) is amended as follows:

(1) In section 103—

(A) in paragraph (8), by striking “and”;

(B) in paragraph (9), by striking the period and inserting “; and”;

(C) by adding at the end the following:

“(10) the term ‘Association’ means the Canal Corridor Association (an organization described under section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code).”

(2) By adding at the end of section 112 the following new paragraph:

“(7) The Secretary shall enter into a memorandum of understanding with the Association

to help ensure appropriate transition of the management entity to the Association and coordination with the Association regarding that role.”

(3) By adding at the end the following new sections:

**“SEC. 119. ASSOCIATION AS MANAGEMENT ENTITY.**

“Upon the termination of the Commission, the management entity for the corridor shall be the Association.

**“SEC. 120. DUTIES AND AUTHORITIES OF ASSOCIATION.**

“For purposes of preparing and implementing the management plan developed under section 121, the Association may use Federal funds made available under this title—

“(1) to make loans and grants to, and enter into cooperative agreements with, States and their political subdivisions, private organizations, or any person;

“(2) to hire, train, and compensate staff; and

“(3) to enter into contracts for goods and services.

**“SEC. 121. DUTIES OF THE ASSOCIATION.**

“The Association shall—

“(1) develop and submit to the Secretary for approval under section 123 a proposed management plan for the corridor not later than 2 years after Federal funds are made available for this purpose;

“(2) give priority to implementing actions set forth in the management plan, including taking steps to assist units of local government, regional planning organizations, and other organizations—

“(A) in preserving the corridor;

“(B) in establishing and maintaining interpretive exhibits in the corridor;

“(C) in developing recreational resources in the corridor;

“(D) in increasing public awareness of and appreciation for the natural, historical, and architectural resources and sites in the corridor; and

“(E) in facilitating the restoration of any historic building relating to the themes of the corridor;

“(3) encourage by appropriate means economic viability in the corridor consistent with the goals of the management plan;

“(4) consider the interests of diverse governmental, business, and other groups within the corridor;

“(5) conduct public meetings at least quarterly regarding the implementation of the management plan;

“(6) submit substantial changes (including any increase of more than 20 percent in the cost estimates for implementation) to the management plan to the Secretary;

“(7) for any year in which Federal funds have been received under this title—

“(A) submit an annual report to the Secretary setting forth the Association’s accomplishments, expenses and income, and the identity of each entity to which any loans and grants were made during the year for which the report is made;

“(B) make available for audit all records pertaining to the expenditure of such funds and any matching funds; and

“(C) require, for all agreements authorizing expenditure of Federal funds by other organizations, that the receiving organizations make available for audit all records pertaining to the expenditure of such funds.

**“SEC. 122. USE OF FEDERAL FUNDS.**

“(1) **IN GENERAL.**—The Association shall not use Federal funds received under this title to acquire real property or an interest in real property.

“(2) **OTHER SOURCES.**—Nothing in this title precludes the Association from using Federal funds from other sources for authorized purposes.

**“SEC. 123. MANAGEMENT PLAN.**

“(a) **PREPARATION OF MANAGEMENT PLAN.**—Not later than 2 years after the date that Federal funds are made available for this purpose,

the Association shall submit to the Secretary for approval a proposed management plan that shall—

“(1) take into consideration State and local plans and involve residents, local governments and public agencies, and private organizations in the corridor;

“(2) present comprehensive recommendations for the corridor’s conservation, funding, management, and development;

“(3) include actions proposed to be undertaken by units of government and nongovernmental and private organizations to protect the resources of the corridor;

“(4) specify the existing and potential sources of funding to protect, manage, and develop the corridor; and

“(5) include the following:

“(A) Identification of the geographic boundaries of the corridor.

“(B) A brief description and map of the corridor’s overall concept or vision that show key sites, visitor facilities and attractions, and physical linkages.

“(C) Identification of overall goals and the strategies and tasks intended to reach them, and a realistic schedule for completing the tasks.

“(D) A listing of the key resources and themes of the corridor.

“(E) Identification of parties proposed to be responsible for carrying out the tasks.

“(F) A financial plan and other information on costs and sources of funds.

“(G) A description of the public participation process used in developing the plan and a proposal for public participation in the implementation of the management plan.

“(H) A mechanism and schedule for updating the plan based on actual progress.

“(I) A bibliography of documents used to develop the management plan.

“(J) A discussion of any other relevant issues relating to the management plan.

“(b) **DISQUALIFICATION FROM FUNDING.**—If a proposed management plan is not submitted to the Secretary within 2 years after the date that Federal funds are made available for this purpose, the Association shall be ineligible to receive additional funds under this title until the Secretary receives a proposed management plan from the Association.

“(c) **APPROVAL OF MANAGEMENT PLAN.**—The Secretary shall approve or disapprove a proposed management plan submitted under this title not later than 180 days after receiving such proposed management plan. If action is not taken by the Secretary within the time period specified in the preceding sentence, the management plan shall be deemed approved. The Secretary shall consult with the local entities representing the diverse interests of the corridor including governments, natural and historic resource protection organizations, educational institutions, businesses, recreational organizations, community residents, and private property owners prior to approving the management plan. The Association shall conduct semi-annual public meetings, workshops, and hearings to provide adequate opportunity for the public and local and governmental entities to review and to aid in the preparation and implementation of the management plan.

“(d) **EFFECT OF APPROVAL.**—Upon the approval of the management plan as provided in subsection (c), the management plan shall supersede the conceptual plan contained in the National Park Service report.

“(e) **ACTION FOLLOWING DISAPPROVAL.**—If the Secretary disapproves a proposed management plan within the time period specified in subsection (c), the Secretary shall advise the Association in writing of the reasons for the disapproval and shall make recommendations for revisions to the proposed management plan.

“(f) **APPROVAL OF AMENDMENTS.**—The Secretary shall review and approve all substantial amendments (including any increase of more than 20 percent in the cost estimates for imple-

mentation) to the management plan. Funds made available under this title may not be expended to implement any changes made by a substantial amendment until the Secretary approves that substantial amendment.

**“SEC. 124. TECHNICAL AND FINANCIAL ASSISTANCE; OTHER FEDERAL AGENCIES.**

“(a) **TECHNICAL AND FINANCIAL ASSISTANCE.**—Upon the request of the Association, the Secretary may provide technical assistance, on a reimbursable or nonreimbursable basis, and financial assistance to the Association to develop and implement the management plan. The Secretary is authorized to enter into cooperative agreements with the Association and other public or private entities for this purpose. In assisting the Association, the Secretary shall give priority to actions that in general assist in—

“(1) conserving the significant natural, historic, cultural, and scenic resources of the corridor; and

“(2) providing educational, interpretive, and recreational opportunities consistent with the purposes of the corridor.

“(b) **DUTIES OF OTHER FEDERAL AGENCIES.**—Any Federal agency conducting or supporting activities directly affecting the corridor shall—

“(1) consult with the Secretary and the Association with respect to such activities;

“(2) cooperate with the Secretary and the Association in carrying out their duties under this title;

“(3) to the maximum extent practicable, coordinate such activities with the carrying out of such duties; and

“(4) to the maximum extent practicable, conduct or support such activities in a manner which the Association determines is not likely to have an adverse effect on the corridor.

**“SEC. 125. AUTHORIZATION OF APPROPRIATIONS.**

“(a) **IN GENERAL.**—To carry out this title there is authorized to be appropriated \$10,000,000, except that not more than \$1,000,000 may be appropriated to carry out this title for any fiscal year.

“(b) **50 PERCENT MATCH.**—The Federal share of the cost of activities carried out using any assistance or grant under this title shall not exceed 50 percent of that cost.

**“SEC. 126. SUNSET.**

“The authority of the Secretary to provide assistance under this title terminates on September 30, 2027.”

**SEC. 503. PRIVATE PROPERTY PROTECTION.**

The Illinois and Michigan Canal National Heritage Corridor Act of 1984 is further amended by adding after section 126 (as added by section 502 of this title) the following new sections:

**“SEC. 127. REQUIREMENTS FOR INCLUSION OF PRIVATE PROPERTY.**

“(a) **NOTIFICATION AND CONSENT OF PROPERTY OWNERS REQUIRED.**—No privately owned property shall be preserved, conserved, or promoted by the management plan for the corridor until the owner of that private property has been notified in writing by the Association and has given written consent for such preservation, conservation, or promotion to the Association.

“(b) **LANDOWNER WITHDRAW.**—Any owner of private property included within the boundary of the corridor, and not notified under subsection (a), shall have their property immediately removed from the boundary of the corridor by submitting a written request to the Association.

**“SEC. 128. PRIVATE PROPERTY PROTECTION.**

“(a) **ACCESS TO PRIVATE PROPERTY.**—Nothing in this title shall be construed to—

“(1) require any private property owner to allow public access (including Federal, State, or local government access) to such private property; or

“(2) modify any provision of Federal, State, or local law with regard to public access to or use of private property.

“(b) **LIABILITY.**—Designation of the corridor shall not be considered to create any liability, or

to have any effect on any liability under any other law, of any private property owner with respect to any persons injured on such private property.

“(c) **RECOGNITION OF AUTHORITY TO CONTROL LAND USE.**—Nothing in this title shall be construed to modify the authority of Federal, State, or local governments to regulate land use.

“(d) **PARTICIPATION OF PRIVATE PROPERTY OWNERS IN CORRIDOR.**—Nothing in this title shall be construed to require the owner of any private property located within the boundaries of the corridor to participate in or be associated with the corridor.

“(e) **EFFECT OF ESTABLISHMENT.**—The boundaries designated for the corridor represent the area within which Federal funds appropriated for the purpose of this title may be expended. The establishment of the corridor and its boundaries shall not be construed to provide any non-existing regulatory authority on land use within the corridor or its viewshed by the Secretary, the National Park Service, or the Association.”

**SEC. 504. TECHNICAL AMENDMENTS.**

Section 116 of Illinois and Michigan Canal National Heritage Corridor Act of 1984 is amended—

(1) by striking subsection (b); and

(2) in subsection (a)—

(A) by striking “(a)” and all that follows through “For each” and inserting “(a) For each”;;

(B) by striking “Commission” and inserting “Association”;;

(C) by striking “Commission’s” and inserting “Association’s”;;

(D) by redesignating paragraph (2) as subsection (b); and

(E) by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively.

**TITLE VI—POTASH ROYALTY REDUCTION**

**SEC. 601. SHORT TITLE.**

This Act may be cited as the “Potash Royalty Reduction Act of 2004”.

**SEC. 602. POTASSIUM AND POTASSIUM COMPOUNDS FROM SYLVITE.**

(a) **ROYALTY RATE.**—Notwithstanding section 102(a)(9) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701(a)(9)), section 2 of the Act of February 7, 1927 (30 U.S.C. 282) and the term of any lease issued under such section 2, the royalty rate on the quantity or gross value of the output from Federal lands of potassium and potassium compounds from the mineral sylvite at the point of shipment to market in the 5-year period beginning on the date of the enactment of this Act shall be 1.0 percent.

(b) **RECLAMATION FUND.**—Fifty percentum of any royalties paid pursuant to this Act during the 5-year period referred to in subsection (a), together with any interest earned from the date of payment, shall be paid by the Secretary of the Treasury to the payor of the royalties to be used solely for land reclamation purposes in accordance with a schedule to implement a reclamation plan for the lands for which the royalties are paid. No payment shall be made by the Secretary of the Treasury pursuant to this subsection until the Secretary of the Interior receives from the payor of the royalties, and approves, the reclamation plan and schedule, and submits the approved schedule to the Secretary of the Treasury. The share of royalties held by the Secretary of the Treasury pursuant to this subsection, and interest earned thereon, shall be available until paid pursuant to this subsection, without further appropriation; shall not be considered as money received under section 35 of the Mineral Leasing Act (30 U.S.C. 191) for the purpose of revenue allocation; and shall not be reduced by any administrative or other costs incurred by the United States.

(c) **STUDY AND REPORT.**—After the end of the 4-year period beginning on the date of the enactment of this Act, and before the end of the 5-year period beginning on that date, the Secretary of the Interior shall report to the Congress on the effects of the royalty reduction

under this Act, including a recommendation on whether the reduced royalty rate for potassium from sylvite should apply after the end of the 5-year period.

#### **TITLE VII—SODA ASH ROYALTY REDUCTION**

##### **SEC. 701. SHORT TITLE.**

This Act may be cited as the "Soda Ash Royalty Reduction Act of 2004".

##### **SEC. 702. FINDINGS.**

The Congress finds the following:

(1) The combination of global competitive pressures, flat domestic demand, and spiraling costs of production threaten the future of the United States soda ash industry.

(2) Despite booming world demand, growth in United States exports of soda ash since 1997 has been flat, with most of the world's largest markets for such growth, including Brazil, the People's Republic of China, India, the countries of eastern Europe, and the Republic of South Africa, have been closed by protectionist policies.

(3) The People's Republic of China is the prime competitor of the United States in soda ash production, and recently supplanted the United States as the largest producer of soda ash in the world.

(4) Over 700 jobs have been lost in the United States soda ash industry since the Department of the Interior increased the royalty rate on soda ash produced on Federal land, in 1996.

(5) Reduction of the royalty rate on soda ash produced on Federal land will provide needed relief to the United States soda ash industry and allow it to increase export growth and competitiveness in emerging world markets, and create new jobs in the United States.

##### **SEC. 703. REDUCTION IN ROYALTY RATE ON SODA ASH.**

Notwithstanding section 102(a)(9) of the Federal Land Policy Management Act of 1976 (43 U.S.C. 1701(a)(9)), section 24 of the Mineral Leasing Act (30 U.S.C. 262), and the terms of any lease under that Act, the royalty rate on the quantity or gross value of the output of sodium compounds and related products at the point of shipment to market from Federal land in the 5-year period beginning on the date of the enactment of this Act shall be 2 percent.

##### **SEC. 704. STUDY.**

After the end of the 4-year period beginning on the date of the enactment of this Act, and before the end of the 5-year period beginning on that date, the Secretary of the Interior shall report to the Congress on the effects of the royalty reduction under this Act, including—

(1) the amount of sodium compounds and related products at the point of shipment to market from Federal land during that 4-year period;

(2) the number of jobs that have been created or maintained during the royalty reduction period;

(3) the total amount of royalty paid to the United States on the quantity or gross value of the output of sodium compounds and related products at the point of shipment to market produced during that 4-year period, and the portion of such royalty paid to States; and

(4) a recommendation of whether the reduced royalty rate should apply after the end of the 5-year period beginning on the date of the enactment of this Act.

Amend the title so as to read "An Act to direct the Secretary of the Interior to convey certain land to the Edward H. McDaniel American Legion Post No. 22 in Pahrump, Nevada, for the construction of a post building and memorial park for use by the American Legion, other veterans' groups, and the local community, and for other purposes."

Mr. ALEXANDER. I ask unanimous consent the Senate concur in the House amendment, with an amendment which is at the desk, concur in the House amendment to the title, the motions to reconsider be laid on the table en bloc,

and any statements related to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 4085) was agreed to.

(The text of the amendment is printed in today's RECORD under "Text of Amendment.")

#### **REMOVAL OF INJUNCTION OF SECRECY**

Mr. ALEXANDER. Mr. President, as in executive session, I ask unanimous consent the injunction of secrecy be removed from the following revision transmitted to the Senate on December 7, 2004, by the President of the United States: 1995 Revision of Radio Regulations (Treaty Document No. 108-28).

I further ask that the revision be considered as having been read the first time, that it be referred with accompanying papers to the Committee on Foreign Relations and ordered to be printed, and that the President's message be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The message of the President is as follows:

*To the Senate of the United States:*

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the 1995 Revision of the Radio Regulations, with appendices, signed by the United States at Geneva on November 17, 1995 (the "1995 Revision"), together with declarations and reservations of the United States as contained in the final Acts of the World Radiocommunication Conference (WRC-95). I transmit also, for the information of the Senate, the report of the Department of State concerning these revisions.

The 1995 Revision, which was adopted at WRC-95, constitutes a revision of the International Telecommunication Union (ITU) Radio Regulations, to which the United States is a party. It provides for the simplification of the Radio Regulations, the introduction of new global mobile-satellite services, and new regulatory provisions both for non-geostationary satellites operating in the same frequency bands as geostationary satellites and for other new space services that share spectrum with the space research and terrestrial services.

Subject to the U.S. declarations and reservations mentioned above, I believe the United States should become a party to the 1995 Revision, which will facilitate the development of mobile-satellite and non-geostationary satellite orbit communication services by U.S. Government and industry, it is my hope that the Senate will take early action on this matter and give its advice and consent to ratification.

GEORGE W. BUSH,

The White House, December 7, 2004.

Mr. ALEXANDER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

The PRESIDING OFFICER (Mr. ALEXANDER). Without objection, it is so ordered.

#### **FAREWELL TO ACTING SECRETARY OF THE ARMY LES BROWNLEE**

Mr. FRIST. Mr. President, I would like to take a moment to honor a distinguished American for his tireless, dedicated service to the U.S. Army, the U.S. Senate, and the American people. After more than four decades of national service, Acting Secretary of the Army Less Brownlee is resigning his post as Under Secretary of the Army.

Secretary Brownlee is a highly decorated veteran. He has earned the Silver Star with Oak Leaf Cluster, the Bronze Star with two Oak Leaf Clusters, and a Purple Heart during his two tours of duty in Vietnam and over 22 years on active duty.

He has also served this body with distinction for 18 years as a Hill staff member, reaching the post of staff director for the Armed Services Committee. During his time on the committee, Secretary Brownlee was the committee's principal professional staff member responsible for Army and Marine Corps programs, Special Operations Forces, and drug interdiction policy and support. In addition, he was deeply involved in policies and programs ranging from ballistic missile defense and weapons programs to strategic deterrence and naval strategy.

Most recently, during his 18 months as Acting Secretary of the Army, Secretary Brownlee has been responsible for managing the Army's \$80 billion annual budget and more than 1.3 million Active Duty, National Guard, Army Reserve, and civilian personnel. As a part of this duty, Secretary Brownlee has overseen recruiting, organizing, supplying, equipping, training, and mobilization efforts.

In addition, during his tenure, the Army began the process of an extraordinary transformation to meet the threats and challenges of the 21st century. Most notably, the Army has borne the brunt of the global war on terrorism, making all Americans proud of its victories and achievements in Afghanistan, Iraq, and other far-off places around the globe.

Throughout these challenging times for the Nation and our Armed Forces, Secretary Brownlee has consistently provided strong, steady leadership for the Army as it adapts and prepares for the future. His service as Acting Secretary of the Army will undoubtedly have a profound impact on our fighting men and women and will ensure that the Army remains the world's finest fighting force for years to come.

I congratulate Secretary Brownlee on a brilliant career. I thank him for his