

National Recreation Area in the Commonwealth of Pennsylvania.

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

(5) SUPERINTENDENT.—The term “Superintendent” means the Superintendent of the Recreation Area.

SEC. 3. EASEMENT FOR EXPANDED NATURAL GAS PIPELINE.

(a) IN GENERAL.—The Secretary may enter into an agreement with the Corporation to grant to the Corporation an easement to enlarge the diameter of the pipeline from 14 inches to not more than 20 inches.

(b) TERMS AND CONDITIONS.—The easement authorized under subsection (a) shall—

(1) be consistent with—

(A) the recreational values of the Recreation Area; and

(B) protection of the resources of the Recreation Area;

(2) include provisions for the protection of resources in the Recreation Area that ensure that only the minimum and necessary amount of disturbance, as determined by the Secretary, shall occur during the construction or maintenance of the enlarged pipeline;

(3) be consistent with the laws (including regulations) and policies applicable to units of the National Park System; and

(4) be subject to any other terms and conditions that the Secretary determines to be necessary;

(c) PERMITS.—

(1) IN GENERAL.—The Superintendent may issue a permit to the Corporation for the use of the Recreation Area in accordance with subsection (b) for the temporary construction and staging areas required for the construction of the enlarged pipeline.

(2) PRIOR TO ISSUANCE.—The easement authorized under subsection (a) and the permit authorized under paragraph (1) shall require that before the Superintendent issues a permit for any clearing or construction, the Corporation shall—

(A) consult with the Superintendent;

(B) identify natural and cultural resources of the Recreation Area that may be damaged or lost because of the clearing or construction; and

(C) submit to the Superintendent for approval a restoration and mitigation plan that—

(i) describes how the land subject to the easement will be maintained; and

(ii) includes a schedule for, and description of, the specific activities to be carried out by the Corporation to mitigate the damages or losses to, or restore, the natural and cultural resources of the Recreation Area identified under subparagraph (B).

(d) PIPELINE REPLACEMENT REQUIREMENTS.—The enlargement of the pipeline authorized under subsection (a) shall be considered to meet the pipeline replacement requirements required by the Research and Special Programs Administration of the Department of Transportation (CPF No. 1-2002-1004-H).

(e) FERC CONSULTATION.—The Corporation shall comply with all other requirements for certification by the Federal Energy Regulatory Commission that are necessary to permit the increase in pipeline size.

(f) LIMITATION.—The Secretary shall not grant any additional increases in the diameter of, or easements for, the pipeline within the boundary of the Recreation Area after the date of enactment of this Act.

(g) EFFECT ON RIGHT-OF-WAY EASEMENT.—Nothing in this Act increases the 50-foot right-of-way easement for the pipeline.

(h) PENALTIES.—On request of the Secretary, the Attorney General may bring a civil action against the Corporation in United States district court to recover damages and response costs under Public Law

101-337 (16 U.S.C. 19jj et seq.) or any other applicable law if—

(1) the Corporation—

(A) violates a provision of—

(i) an easement authorized under subsection (a); or

(ii) a permit issued under subsection (c); or

(B) fails to submit or timely implement a restoration and mitigation plan approved under subsection (c)(2)(C); and

(2) the violation or failure destroys, results in the loss of, or injures any park system resource (as defined in section 1 of Public Law 101-337 (16 U.S.C. 19jj)).

SEC. 4. USE OF CERTAIN ROADS WITHIN DELAWARE WATER GAP.

Section 702 of Division I of the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104-333; 110 Stat. 4185) is amended—

(1) in subsection (a), by striking “at noon on September 30, 2005” and inserting “on the earlier of the date on which a feasible alternative is available or noon of September 30, 2015”; and

(2) in subsection (c)—

(A) in paragraph (1), by striking “September 30, 2005” and inserting “on the earlier of the date on which a feasible alternative is available or September 30, 2015”; and

(B) in paragraph (2)—

(i) by striking “noon on September 30, 2005” and inserting “the earlier of the date on which a feasible alternative is available or noon of September 30, 2015”; and

(ii) by striking “not exceed \$25 per trip” and inserting the following: “be established at a rate that would cover the cost of collection of the commercial use fee, but not to exceed \$40 per trip”.

SEC. 5. TERMINATION OF NATIONAL PARK SYSTEM ADVISORY BOARD.

Effective on January 1, 2006, section 3(f) of the Act of August 21, 1935 (16 U.S.C. 463(f)) is amended in the first sentence by striking “2006” and inserting “2007”.

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

PUBLIC LANDS CORPS HEALTHY FORESTS RESTORATION ACT OF 2005

Mr. POMBO. Mr. Speaker, I ask unanimous consent to take from the Speaker’s table the Senate bill (S. 1238) to amend the Public Lands Corps Act of 1993 to provide for the conduct of projects that protect forests, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

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

Mr. KUCINICH. Mr. Speaker, I reserve the right to object.

I have a question for the gentleman. Does this deal with harvesting of trees of old growth forests in national parks?

Mr. POMBO. No, it does not.

Mr. KUCINICH. I thank the gentleman.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 1238

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 “Public Lands Corps Healthy Forests Restoration Act of 2005”.

SEC. 2. AMENDMENTS TO THE PUBLIC LANDS CORPS ACT OF 1993.

(a) DEFINITIONS.—Section 203 of the Public Lands Corps Act of 1993 (16 U.S.C. 1722) is amended—

(1) by redesignating paragraphs (8), (9), (10), and (11) as paragraphs (9), (10), (11), and (13), respectively;

(2) by inserting after paragraph (7) the following:

“(8) PRIORITY PROJECT.—The term ‘priority project’ means an appropriate conservation project conducted on eligible service lands to further 1 or more of the purposes of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6501 et seq.), as follows:

“(A) To reduce wildfire risk to a community, municipal water supply, or other at-risk Federal land.

“(B) To protect a watershed or address a threat to forest and rangeland health, including catastrophic wildfire.

“(C) To address the impact of insect or disease infestations or other damaging agents on forest and rangeland health.

“(D) To protect, restore, or enhance forest ecosystem components to—

“(i) promote the recovery of threatened or endangered species;

“(ii) improve biological diversity; or

“(iii) enhance productivity and carbon sequestration.”; and

(3) by inserting after paragraph (11) (as redesignated by paragraph (1)) the following:

“(12) SECRETARY.—The term ‘Secretary’ means—

“(A) with respect to National Forest System land, the Secretary of Agriculture; and

“(B) with respect to Indian lands, Hawaiian home lands, or land administered by the Department of the Interior, the Secretary of the Interior.”.

(b) QUALIFIED YOUTH OR CONSERVATION CORPS.—Section 204(c) of the Public Lands Corps Act of 1993 (16 U.S.C. 1723(c)) is amended—

(1) by striking “The Secretary of the Interior and the Secretary of Agriculture are” and inserting the following:

“(1) IN GENERAL.—The Secretary is”; and

(2) by adding at the end the following:

“(2) PREFERENCE.—

“(A) IN GENERAL.—For purposes of entering into contracts and cooperative agreements under paragraph (1), the Secretary may give preference to qualified youth or conservation corps located in a specific area that have a substantial portion of members who are economically, physically, or educationally disadvantaged to carry out projects within the area.

“(B) PRIORITY PROJECTS.—In carrying out priority projects in a specific area, the Secretary shall, to the maximum extent practicable, give preference to qualified youth or conservation corps located in that specific area that have a substantial portion of members who are economically, physically, or educationally disadvantaged.”.

(c) CONSERVATION PROJECTS.—Section 204(d) of the Public Lands Corps Act of 1993 (16 U.S.C. 1723(d)) is amended—

(1) in the first sentence—

(A) by striking “The Secretary of the Interior and the Secretary of Agriculture may each” and inserting the following:

“(1) IN GENERAL.—The Secretary may”; and

(B) by striking “such Secretary” and inserting “the Secretary”;

(2) in the second sentence, by striking “Appropriate conservation” and inserting the following:

“(2) PROJECTS ON INDIAN LANDS.—Appropriate conservation”; and

(3) by striking the third sentence and inserting the following:

“(3) DISASTER PREVENTION OR RELIEF PROJECTS.—The Secretary may authorize appropriate conservation projects and other appropriate projects to be carried out on Federal, State, local, or private land as part of a Federal disaster prevention or relief effort.”

(d) CONSERVATION CENTERS AND PROGRAM SUPPORT.—Section 205 of the Public Lands Corps Act of 1993 (16 U.S.C. 1724) is amended—

(1) by striking the heading and inserting the following:

“SEC. 205. CONSERVATION CENTERS AND PROGRAM SUPPORT.”;

(2) by striking subsection (a) and inserting the following:

“(a) ESTABLISHMENT AND USE.—

“(1) IN GENERAL.—The Secretary may establish and use conservation centers owned and operated by the Secretary for—

“(A) use by the Public Lands Corps; and

“(B) the conduct of appropriate conservation projects under this title.

“(2) ASSISTANCE FOR CONSERVATION CENTERS.—The Secretary may provide to a conservation center established under paragraph (1) any services, facilities, equipment, and supplies that the Secretary determines to be necessary for the conservation center.

“(3) STANDARDS FOR CONSERVATION CENTERS.—The Secretary shall—

“(A) establish basic standards of health, nutrition, sanitation, and safety for all conservation centers established under paragraph (1); and

“(B) ensure that the standards established under subparagraph (A) are enforced.

“(4) MANAGEMENT.—As the Secretary determines to be appropriate, the Secretary may enter into a contract or other appropriate arrangement with a State or local government agency or private organization to provide for the management of a conservation center.”; and

(3) by adding at the end the following:

“(d) ASSISTANCE.—The Secretary may provide any services, facilities, equipment, supplies, technical assistance, oversight, monitoring, or evaluations that are appropriate to carry out this title.”.

(e) LIVING ALLOWANCES AND TERMS OF SERVICE.—Section 207 of the Public Lands Corps Act of 1993 (16 U.S.C. 1726) is amended—

(1) by striking subsection (a) and inserting the following:

“(a) LIVING ALLOWANCES.—The Secretary shall provide each participant in the Public Lands Corps and each resource assistant with a living allowance in an amount established by the Secretary.”; and

(2) by adding at the end the following:

“(c) HIRING.—The Secretary may—

“(1) grant to a member of the Public Lands Corps credit for time served with the Public Lands Corps, which may be used toward future Federal hiring; and

“(2) provide to a former member of the Public Lands Corps noncompetitive hiring status for a period of not more than 120 days after the date on which the member’s service with the Public Lands Corps is complete.”.

(f) FUNDING.—The Public Lands Corps Act of 1993 is amended—

(1) in section 210 (16 U.S.C. 1729), by adding at the end the following:

“(c) OTHER FUNDS.—Amounts appropriated pursuant to the authorization of appropria-

tions under section 211 are in addition to amounts allocated to the Public Lands Corps through other Federal programs or projects.”; and

(2) by inserting after section 210 the following:

“SEC. 211. AUTHORIZATION OF APPROPRIATIONS.

“(a) IN GENERAL.—There is authorized to be appropriated to carry out this title \$12,000,000 for each fiscal year, of which \$8,000,000 is authorized to carry out priority projects and \$4,000,000 of which is authorized to carry out other appropriate conservation projects.

“(b) DISASTER RELIEF OR PREVENTION PROJECTS.—Notwithstanding subsection (a), any amounts made available under that subsection shall be available for disaster prevention or relief projects.

“(c) AVAILABILITY OF FUNDS.—Notwithstanding any other provision of law, amounts appropriated for any fiscal year to carry out this title shall remain available for obligation and expenditure until the end of the fiscal year following the fiscal year for which the amounts are appropriated.”.

(g) CONFORMING AMENDMENTS.—The Public Lands Corps Act of 1993 is amended—

(1) in section 204 (16 U.S.C. 1723)—

(A) in subsection (b)—

(i) in the first sentence, by striking “Secretary of the Interior or the Secretary of Agriculture” and inserting “Secretary”;

(ii) in the third sentence, by striking “Secretaries” and inserting “Secretary”; and

(B) in subsection (e), by striking “Secretary of the Interior and the Secretary of Agriculture” and inserting “Secretary”;

(2) in section 205 (16 U.S.C. 1724)—

(A) in subsection (b), by striking “Secretary of the Interior and the Secretary of Agriculture” and inserting “Secretary”; and

(B) in subsection (c), by striking “Secretary of the Interior and the Secretary of Agriculture” and inserting “Secretary”;

(3) in section 206 (16 U.S.C. 1725)—

(A) in subsection (a)—

(i) in the first sentence—

(I) by striking “Secretary of the Interior and the Secretary of Agriculture are each” and inserting “Secretary is”; and

(II) by striking “such Secretary” and inserting “the Secretary”;

(ii) in the third sentence, by striking “Secretaries” and inserting “Secretary”; and

(iii) in the fourth sentence, by striking “Secretaries” and inserting “Secretary”; and

(B) in the first sentence of subsection (b), by striking “Secretary of the Interior or the Secretary of Agriculture” and inserting “the Secretary”; and

(4) in section 210 (16 U.S.C. 1729)—

(A) in subsection (a)—

(i) in paragraph (1), by striking “Secretary of the Interior and the Secretary of Agriculture are each” and inserting “Secretary is”; and

(ii) in paragraph (2), by striking “Secretary of the Interior and the Secretary of Agriculture are each” and inserting “Secretary is”; and

(B) in subsection (b), by striking “Secretary of the Interior and the Secretary of Agriculture” and inserting “Secretary”.

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

□ 0100

INDIAN LAND PROBATE REFORM TECHNICAL CORRECTIONS ACT OF 2005

Mr. POMBO. Mr. Speaker, I ask unanimous consent that the Committee on Resources be discharged from further consideration of the Senate bill (S. 1481) to amend the Indian Land Consolidation Act to provide for probate reform, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore (Mr. BOOZMAN). Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 1481

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 “Indian Land Probate Reform Technical Corrections Act of 2005”.

SEC. 2. PARTITION OF HIGHLY FRACTIONATED INDIAN LAND.

Section 205 of the Indian Land Consolidation Act (25 U.S.C. 2204) is amended—

(1) by striking subsection (a) and inserting the following:

“(a) PURCHASE OF LAND.—

“(1) IN GENERAL.—Subject to subsection (b), any Indian tribe may purchase, at not less than fair market value and with the consent of the owners of the interests, part or all of the interests in—

“(A) any tract of trust or restricted land within the boundaries of the reservation of the tribe; or

“(B) land that is otherwise subject to the jurisdiction of the tribe.

“(2) REQUIRED CONSENT.—

“(A) IN GENERAL.—The Indian tribe may purchase all interests in a tract described in paragraph (1) with the consent of the owners of undivided interests equal to at least 50 percent of the undivided interest in the tract.

“(B) INTEREST OWNED BY TRIBE.—Interests owned by an Indian tribe in a tract may be included in the computation of the percentage of ownership of the undivided interests in that tract for purposes of determining whether the consent requirement under subparagraph (A) has been met.”;

(2) by redesignating subsection (d) as subsection (c); and

(3) in subsection (c) (as redesignated by paragraph (2))—

(A) in paragraph (2)—

(i) in subparagraph (G)(ii)(I), by striking “a higher valuation of the land” and inserting “a value of the land that is equal to or greater than that of the earlier appraisal”; and

(ii) in subparagraph (I)(iii)—

(I) in subclause (III), by inserting “(if any)” after “this section”; and

(II) in subclause (IV)—

(aa) in item (aa), by striking “less” and inserting “more”; and

(bb) in item (bb), by striking “to implement this section” and inserting “under paragraph (5)”; and

(B) in paragraph (5), in the second sentence, by striking “shall” and inserting “may”.

SEC. 3. TRIBAL PROBATE CODES.

Section 206 of the Indian Land Consolidation Act (25 U.S.C. 2205) is amended—