

reduction in fiscal year 2005 funds for the National Highway Traffic Safety Administration vehicle safety programs. That highway safety and vehicle safety program funding is split between the highway trust fund and general funds. For fiscal year 2005, appropriations chose to not provide any general fund money to the National Highway Traffic Safety Administration vehicle safety program, instead pulling additional resources from the highway trust fund.

NHTSA's vehicle safety program then became subject to the same cut in funding as the highway projects are in SAFETEA-LU. If these funds are not restored, certain vehicle safety activities may be significantly impacted, including ongoing research to test and evaluate automobiles and numerous research projects designed to save lives and prevent injuries on our Nation's roads.

So I urge my colleagues to pass H.R. 3649 to ensure that our States receive the necessary matching funds for their recreational boating safety programs between August 15, 2005 and October 1, 2005.

Madam Speaker, I have no further requests for time, I urge the passage of this bill, and I yield back the balance of my time.

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

The SPEAKER pro tempore (Mrs. EMERSON). The question is on the motion offered by the gentleman from Louisiana (Mr. BOUSTANY) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 3649.

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

A motion to reconsider was laid on the table.

SIERRA NATIONAL FOREST LAND EXCHANGE ACT OF 2005

Mr. RENZI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 409) to provide for the exchange of land within the Sierra National Forest, California, and for other purposes.

The Clerk read as follows:

H.R. 409

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 "Sierra National Forest Land Exchange Act of 2005".

SEC. 2. DEFINITIONS.

In this Act:

(1) **FEDERAL LAND.**—The term "Federal land" means the parcels of land and improvements thereon comprising approximately 160 acres and located in township 9 south, range 25 east, section 30, E½SW¼ and W½SE¼, Mt. Diablo Meridian, California.

(2) **NON-FEDERAL LAND.**—The term "non-Federal land" means a parcel of land comprising approximately 80 acres and located in township 8 south, range 26 east, section 29, N½NW¼, Mt. Diablo Meridian, California.

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

SEC. 3. LAND EXCHANGE, SIERRA NATIONAL FOREST, CALIFORNIA.

(a) **EXCHANGE AUTHORIZED.**—

(1) **IN GENERAL.**—If, during the one-year period beginning on the date of enactment of this Act, the owner of the non-Federal land offers the United States the exchange of the non-Federal land and a cash equalization payment of \$50,000, the Secretary shall convey, by quit claim deed, all right, title, and interest of the United States in and to the Federal land. The conveyance of the Federal land shall be subject to valid existing rights and under such terms and conditions as the Secretary may prescribe.

(2) **ACCEPTABLE TITLE.**—Title to the non-Federal land shall conform with the title approval standards of the Attorney General applicable to Federal land acquisitions and shall be acceptable to the Secretary.

(3) **CORRECTION AND MODIFICATION OF LEGAL DESCRIPTIONS.**—The Secretary, in consultation with the owner of the non-Federal land, may make corrections to the legal descriptions of the Federal land and non-Federal land. The Secretary and the owner of the non-Federal land may make minor modifications to such descriptions insofar as such modifications do not affect the overall value of the exchange by more than five percent.

(b) **VALUATION OF LAND TO BE CONVEYED.**—For purposes of this section, during the period referred to in subsection (a)(1), the value of the non-Federal land shall be deemed to be \$200,000 and the value of the Federal land shall be deemed to be \$250,000.

(c) **ADMINISTRATION OF LAND ACQUIRED BY UNITED STATES.**—Once acquired, the Secretary shall manage the non-Federal land in accordance with the Act of March 1, 1911 (commonly known as the Weeks Act; 16 U.S.C. 480 et seq.), and in accordance with the other laws and regulations pertaining to National Forest System lands.

(d) **CONDITIONS ON CONVEYANCE OF FEDERAL LAND.**—The conveyance by the Secretary under subsection (a) shall be subject to the following conditions:

(1) That the recipient of the Federal land convey all 160 acres of the Federal land to the Sequoia Council of the Boy Scouts of America not later than four months after the date on which the recipient receives the Federal land from the Secretary under subsection (a).

(2) That, as described in section 5, the owner of the easement granted in section 4 have the right of first offer regarding any reconveyance of the Federal land by the Sequoia Council of the Boy Scouts of America.

(e) **DISPOSITION AND USE OF CASH EQUALIZATION FUNDS.**—The Secretary shall deposit the cash equalization payment received under subsection (a) in the fund established by Public Law 90-171 (commonly known as the Sisk Act; 16 U.S.C. 484a). The cash equalization payment shall be available to the Secretary until expended, without further appropriation, for the acquisition of lands and interests in lands for the National Forest System in the State of California.

(f) **COST COLLECTION FUNDS.**—The owner of the non-Federal land shall be responsible for all direct costs associated with processing the land exchange under this section and shall pay the Secretary the necessary funds, which shall be deposited in a cost collection account. Funds so deposited shall be available to the Secretary until expended, without further appropriation, for the cost associated with the land exchange. Any funds remaining after completion of the land exchange, which are not needed to cover expenses, shall be refunded to the owner of the non-Federal land.

SEC. 4. GRANT OF EASEMENT IN CONNECTION WITH HYDROELECTRIC PROJECT NO. 67.

(a) **PURPOSE.**—A hydroelectric project, licensed pursuant to the Federal Power Act (16 U.S.C. 791a et seq.) as Project No. 67, is located on a majority of the Federal land authorized for exchange under section 3. To protect the ability of the owner of Project No. 67 to continue to operate and maintain that hydroelectric project under the current and all future licenses or authorizations issued pursuant to the Federal Power Act or any other applicable law, this section is necessary.

(b) **EASEMENT REQUIRED.**—Before conveying the Federal land under section 3, the Secretary shall grant an easement, without consideration, to the owner of Project No. 67 for the right to enter, occupy, and use for hydroelectric power purposes the Federal land currently within the licensed boundary for Project No. 67. The Project No. 67 owner shall hold harmless the Secretary for any claims against the owner due to the grant of easement.

(c) **REQUIRED TERMS AND CONDITIONS.**—The easement granted under this section shall provide the following: "The United States of America, hereinafter called 'Grantor', pursuant to a congressional authorization, hereby grants, transfers, and conveys unto the [insert name of Project No. 67 owner], its successors and assigns, hereinafter called 'Grantee', all those certain exclusive easements and rights in, on, under, over, along, and across certain real property described in Exhibit A, attached hereto [attach description of real property subject to the easement] and incorporated herein (the 'Property'), for any purpose or activity that Grantee deems convenient or necessary to the creation, generation, transmission, or distribution of hydropower on and off the Property, including, but not limited to, the right to inundate the Property with water, reservoir management, and compliance with legal obligations in accordance with the applicable Federal Energy Regulatory Commission license and those non-exclusive easements and rights to use, occupy, and enter the Property, and to allow others to use, occupy, and enter the Property, for other purposes related to hydropower and reservoir management and use, such as recreation by Grantee or the public, and regulation of any activities on the Property that may impact such purposes, at any time and from time to time. Grantor further grants, transfers, and conveys unto the Grantee the right of assignment, in whole or in part, to others, without limitation. Grantee shall have the right to take such actions on the Property as may be necessary to comply with all applicable laws, rules, regulations, ordinances, orders and other governmental, regulatory, and administrative authorities and requirements, or that may be necessary for the economical entry, occupancy, and use of the Property for hydropower purposes. Grantor, its successors and assigns, shall not deposit or permit or allow to be deposited, earth, rubbish, debris or any other substance or material on the Property, or so near thereto as to constitute, in the opinion of the Grantee, an interference or obstruction to the hydropower and reservoir purposes. No other easements, leases, or licenses shall be granted on, under or over the Property by Grantor to any person, firm or corporation without the previous written consent of Grantee, which consent shall not be unreasonably withheld. The terms, covenants and conditions of this Grant of Easement shall bind and inure to the benefit of the successors and assigns of Grantor and the successors and assigns of Grantee."

SEC. 5. RIGHT OF FIRST OFFER FOR SUBSEQUENT CONVEYANCE OF FEDERAL LAND.

(a) **RIGHT OF FIRST OFFER.**—As a condition on the conveyance of the Federal land under section 3 and its reconveyance to the Sequoia Council of the Boy Scouts of America, as required by section 3(d)(1), the Secretary shall require that the Council agree to provide the owner of the easement granted under section 4 the right of first offer to obtain the Federal land, or any portion thereof, that the Council ever proposes to sell, transfer, or otherwise convey.

(b) **NOTICE AND OFFER.**—If the Council proposes to sell, transfer, or otherwise convey the Federal land or a portion thereof, the Council shall give the easement owner written notice specifying the terms and conditions on which the conveyance is proposed and offering to convey to the easement owner, on the same terms and conditions, the Federal land or the portion thereof proposed for conveyance.

(c) **ACCEPTANCE OR REJECTION OF OFFER.**—Within 90 days after the easement owner receives the notice required by subsection (b) and all available documents necessary to perform reasonable due diligence on the proposed conveyance, the easement owner shall either accept or reject the offer. If the easement owner accepts the offer, the closing of the sale shall be governed by the terms of the offer in the notice.

(d) **EFFECT OF REJECTION.**—If the hydro-power easement owner rejects an offer under subsection (b) or fails to respond to the offer before the expiration of the 90-day period provided in subsection (c), the Council may convey the property covered by the notice to any other person on the same terms and conditions specified in the notice. If those terms and conditions are subsequently altered in any way, then the notice and offer shall again be made to the easement owner under subsection (b). The rejection by the easement owner of one or more of such offers shall not affect its right of first offer as to any other proposed conveyance by the Council.

The SPEAKER pro tempore (Mr. LAHOOD). Pursuant to the rule, the gentleman from Arizona (Mr. RENZI) and the gentlewoman from Guam (Ms. BORDALLO) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona (Mr. RENZI).

GENERAL LEAVE

Mr. RENZI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, H.R. 409, introduced by the gentleman from California (Mr. RADANOVICH), provides for the exchange of land within the Sierra National Forest of California.

The bill would exchange 160 acres of Forest Service property, of which only 15 acres is above water, for 80 acres of private land surrounded by National Forest. The landowner has agreed to pay the difference of \$50,000 to the Forest Service to finalize the land trans-

fer. After the completion of the exchange, the landowner will convey the property to the Sequoia Council Boy Scouts, who have run a camp on the land through a special use permit for the last 30 years.

The bill will benefit both the Forest Service and the Sequoia Council Boy Scouts. I urge adoption of the bill.

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

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

(Ms. BORDALLO asked and was given permission to revise and extend her remarks.)

Ms. BORDALLO. Mr. Speaker, H.R. 409 directs the Secretary of Agriculture to exchange 160 acres of Federal land in the Sierra National Forest at Shaver Lake for an 80-acre inholding also in the Sierra National Forest.

H.R. 409, Mr. Speaker, further requires that the owners of the non-Federal land make a \$50,000 cash equalization payment and convey the Federal land to the Sequoia Council of the Boy Scouts of America within 4 months of receiving it.

Mr. Speaker, we have no objections to H.R. 409.

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

Mr. RENZI. 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 Arizona (Mr. RENZI) that the House suspend the rules and pass the bill, H.R. 409.

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.

DIRECTING THE SECRETARY OF THE INTERIOR TO CONDUCT A BOUNDARY STUDY EVALUATING THE SIGNIFICANCE OF THE COLONEL JAMES BARRETT FARM IN THE COMMONWEALTH OF MASSACHUSETTS

Mr. RENZI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 394) to direct the Secretary of the Interior to conduct a boundary study to evaluate the significance of the Colonel James Barrett Farm in the Commonwealth of Massachusetts and the suitability and feasibility of its inclusion in the National Park System as part of the Minute Man National Historical Park, and for other purposes, as amended.

The Clerk read as follows:

H.R. 394

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

SECTION 1. BOUNDARY ADJUSTMENT STUDY.

(a) **DEFINITIONS.**—For the purposes of this Act:

(1) **BARRETT'S FARM.**—The term "Barrett's Farm" means the Colonel James Barrett Farm listed on the National Register of Historic

Places, including the house and buildings on the approximately 6 acres of land in Concord, Massachusetts.

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

(b) **STUDY.**—Not later than 2 years after the date that funds are made available for this section, the Secretary shall conduct a boundary study to evaluate the significance of Barrett's Farm in Concord, Massachusetts, as well as the suitability and feasibility of its inclusion in the National Park System as part of Minute Man National Historical Park.

(c) **CONTENT OF STUDY.**—The study shall include an analysis of the following:

(1) The significance of Barrett's Farm in relation to the Revolutionary War.

(2) Opportunities for public enjoyment of the site as part of the Minute Man National Historical Park.

(3) Any operational, management, and private property issues that need to be considered if Barrett's Farm were added to the Minute Man National Historical Park.

(4) A determination of the feasibility of administering Barrett's Farm considering its size, configuration, ownership, costs, and other factors, as part of Minute Man National Historical Park.

(5) An evaluation of the adequacy of other alternatives for management and resource protection of Barrett's Farm.

(d) **SUBMISSION OF REPORT.**—Upon completion of the study, the Secretary shall submit a report on the findings of the study to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. RENZI) and the gentlewoman from Guam (Ms. BORDALLO) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona (Mr. RENZI).

GENERAL LEAVE

Mr. RENZI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

Mr. Speaker H.R. 394, introduced by the gentleman from Massachusetts (Mr. MEEHAN) and amended by the Committee on Resources, would direct the Secretary of the Interior to conduct a boundary study to determine the significance of the Colonel James Barrett Farm in the Commonwealth of Massachusetts and its feasibility for inclusion as part of the Minute Man National Historical Park. During the Revolutionary War, the 5-acre farm was instrumental for its role as a storage station for cannons, gunpowder, and other munitions.

Mr. Speaker, I urge adoption of the bill, and I reserve the balance of my time.

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

(Ms. BORDALLO asked and was given permission to revise and extend her remarks.)

Ms. BORDALLO. Mr. Speaker, the majority has already explained the