

On page 3, strike lines 10 through 12 and insert the following:

**SEC. 4. AGREEMENT; DONATIONS.**

The study described in section 3 shall not be conducted until the date on which—

(1) the Secretary enters into an agreement with a State, unit of local government, or other entity to conduct the study using non-Federal funds; or

(2) the Secretary receives a donation of an amount of non-Federal funds sufficient to pay the cost of conducting the study.

**OREGON CAVES REVITALIZATION  
ACT OF 2013**

The bill (S. 354) to modify the boundary of the Oregon Caves National Monument, and for other purposes, was ordered to be engrossed for a third reading and was read the third time.

S. 354

*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 “Oregon Caves Revitalization Act of 2013”.

**SEC. 2. DEFINITIONS.**

In this Act:

(1) **MAP.**—The term “map” means the map entitled “Oregon Caves National Monument and Preserve”, numbered 150/80,023, and dated May 2010.

(2) **MONUMENT.**—The term “Monument” means the Oregon Caves National Monument established by Presidential Proclamation Number 876 (36 Stat. 2497), dated July 12, 1909.

(3) **NATIONAL MONUMENT AND PRESERVE.**—The term “National Monument and Preserve” means the Oregon Caves National Monument and Preserve designated by section 3(a)(1).

(4) **NATIONAL PRESERVE.**—The term “National Preserve” means the National Preserve designated by section 3(a)(2).

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

(6) **SECRETARY CONCERNED.**—The term “Secretary concerned” means—

(A) the Secretary of Agriculture (acting through the Chief of the Forest Service), with respect to National Forest System land; and

(B) the Secretary of the Interior, with respect to land managed by the Bureau of Land Management.

(7) **STATE.**—The term “State” means the State of Oregon.

**SEC. 3. DESIGNATIONS; LAND TRANSFER; BOUNDARY ADJUSTMENT.**

(a) **DESIGNATIONS.**—

(1) **IN GENERAL.**—The Monument and the National Preserve shall be administered as a single unit of the National Park System and collectively known and designated as the “Oregon Caves National Monument and Preserve”.

(2) **NATIONAL PRESERVE.**—The approximately 4,070 acres of land identified on the map as “Proposed Addition Lands” shall be designated as a National Preserve.

(b) **TRANSFER OF ADMINISTRATIVE JURISDICTION.**—

(1) **IN GENERAL.**—Administrative jurisdiction over the land designated as a National Preserve under subsection (a)(2) is transferred from the Secretary of Agriculture to the Secretary, to be administered as part of the National Monument and Preserve.

(2) **EXCLUSION OF LAND.**—The boundaries of the Rogue River-Siskiyou National Forest are adjusted to exclude the land transferred under paragraph (1).

(c) **BOUNDARY ADJUSTMENT.**—The boundary of the National Monument and Preserve is modified to exclude approximately 4 acres of land—

(1) located in the City of Cave Junction; and

(2) identified on the map as the “Cave Junction Unit”.

(d) **AVAILABILITY OF MAP.**—The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(e) **REFERENCES.**—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Monument shall be considered to be a reference to the “Oregon Caves National Monument and Preserve”.

**SEC. 4. ADMINISTRATION.**

(a) **IN GENERAL.**—The Secretary shall administer the National Monument and Preserve in accordance with—

(1) this Act;

(2) Presidential Proclamation Number 876 (36 Stat. 2497), dated July 12, 1909; and

(3) any law (including regulations) generally applicable to units of the National Park System, including the National Park Service Organic Act (16 U.S.C. 1 et seq.).

(b) **FIRE MANAGEMENT.**—As soon as practicable after the date of enactment of this Act, in accordance with subsection (a), the Secretary shall—

(1) revise the fire management plan for the Monument to include the land transferred under section 3(b)(1); and

(2) in accordance with the revised plan, carry out hazardous fuel management activities within the boundaries of the National Monument and Preserve.

(c) **EXISTING FOREST SERVICE CONTRACTS.**—

(1) **IN GENERAL.**—The Secretary shall—

(A) allow for the completion of any Forest Service stewardship or service contract executed as of the date of enactment of this Act with respect to the National Preserve; and

(B) recognize the authority of the Secretary of Agriculture for the purpose of administering a contract described in subparagraph (A) through the completion of the contract.

(2) **TERMS AND CONDITIONS.**—All terms and conditions of a contract described in paragraph (1)(A) shall remain in place for the duration of the contract.

(3) **LIABILITY.**—The Forest Service shall be responsible for any liabilities relating to a contract described in paragraph (1)(A).

(d) **GRAZING.**—

(1) **IN GENERAL.**—Subject to paragraph (2), the Secretary may allow the grazing of livestock within the National Preserve to continue as authorized under permits or leases in existence as of the date of enactment of this Act.

(2) **APPLICABLE LAW.**—Grazing under paragraph (1) shall be—

(A) at a level not greater than the level at which the grazing exists as of the date of enactment of this Act, as measured in Animal Unit Months; and

(B) in accordance with each applicable law (including National Park Service regulations).

(e) **FISH AND WILDLIFE.**—The Secretary shall permit hunting and fishing on land and waters within the National Preserve in accordance with applicable Federal and State laws, except that the Secretary may, in consultation with the Oregon Department of Fish and Wildlife, designate zones in which, and establish periods during which, no hunting or fishing shall be permitted for reasons of public safety, administration, or compliance by the Secretary with any applicable law (including regulations).

**SEC. 5. VOLUNTARY GRAZING LEASE OR PERMIT DONATION PROGRAM.**

(a) **DONATION OF LEASE OR PERMIT.**—

(1) **ACCEPTANCE BY SECRETARY CONCERNED.**—The Secretary concerned shall accept a grazing lease or permit that is donated by a lessee or permittee for—

(A) the Big Grayback Grazing Allotment located in the Rogue River-Siskiyou National Forest; and

(B) the Billy Mountain Grazing Allotment located on a parcel of land that is managed by the Secretary (acting through the Director of the Bureau of Land Management).

(2) **TERMINATION.**—With respect to each grazing permit or lease donated under paragraph (1), the Secretary shall—

(A) terminate the grazing permit or lease; and

(B) ensure a permanent end to grazing on the land covered by the grazing permit or lease.

(b) **EFFECT OF DONATION.**—A lessee or permittee that donates a grazing lease or grazing permit (or a portion of a grazing lease or grazing permit) under this section shall be considered to have waived any claim to any range improvement on the associated grazing allotment or portion of the associated grazing allotment, as applicable.

**SEC. 6. WILD AND SCENIC RIVER DESIGNATIONS.**

(a) **DESIGNATION.**—Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end the following:

“(208) **RIVER STYX, OREGON.**—The subterranean segment of Cave Creek, known as the River Styx, to be administered by the Secretary of the Interior as a scenic river.”.

(b) **POTENTIAL ADDITIONS.**—

(1) **IN GENERAL.**—Section 5(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1276(a)) is amended by adding at the end the following:

“(141) **OREGON CAVES NATIONAL MONUMENT AND PRESERVE, OREGON.**—

“(A) **CAVE CREEK, OREGON.**—The 2.6-mile segment of Cave Creek from the headwaters at the River Styx to the boundary of the Rogue River Siskiyou National Forest.

“(B) **LAKE CREEK, OREGON.**—The 3.6-mile segment of Lake Creek from the headwaters at Bigelow Lakes to the confluence with Cave Creek.

“(C) **NO NAME CREEK, OREGON.**—The 0.6-mile segment of No Name Creek from the headwaters to the confluence with Cave Creek.

“(D) **PANTHER CREEK.**—The 0.8-mile segment of Panther Creek from the headwaters to the confluence with Lake Creek.

“(E) **UPPER CAVE CREEK.**—The segment of Upper Cave Creek from the headwaters to the confluence with River Styx.”.

(2) **STUDY; REPORT.**—Section 5(b) of the Wild and Scenic Rivers Act (16 U.S.C. 1276(b)) is amended by adding at the end the following:

“(20) **OREGON CAVES NATIONAL MONUMENT AND PRESERVE, OREGON.**—Not later than 3 years after the date on which funds are made available to carry out this paragraph, the Secretary shall—

“(A) complete the study of the Oregon Caves National Monument and Preserve segments described in subsection (a)(141); and

“(B) submit to Congress a report containing the results of the study.”.

**GEOTHERMAL PRODUCTION  
EXPANSION ACT OF 2013**

The bill (S. 363) to expand geothermal production, and for other purposes, was ordered to be engrossed for a third reading and was read the third time.

S. 363

*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 “Geothermal Production Expansion Act of 2013”.

## SEC. 2. NONCOMPETITIVE LEASING OF ADJOINING AREAS FOR DEVELOPMENT OF GEOTHERMAL RESOURCES.

Section 4(b) of the Geothermal Steam Act of 1970 (30 U.S.C. 1003(b)) is amended by adding at the end the following:

“(4) ADJOINING LAND.—

“(A) DEFINITIONS.—In this paragraph:

“(i) FAIR MARKET VALUE PER ACRE.—The term ‘fair market value per acre’ means a dollar amount per acre that—

“(I) except as provided in this clause, shall be equal to the market value per acre (taking into account the determination under subparagraph (B)(iii) regarding a valid discovery on the adjoining land) as determined by the Secretary under regulations issued under this paragraph;

“(II) shall be determined by the Secretary with respect to a lease under this paragraph, by not later than the end of the 180-day period beginning on the date the Secretary receives an application for the lease; and

“(III) shall be not less than the greater of—

“(aa) 4 times the median amount paid per acre for all land leased under this Act during the preceding year; or

“(bb) \$50.

“(ii) INDUSTRY STANDARDS.—The term ‘industry standards’ means the standards by which a qualified geothermal professional assesses whether downhole or flowing temperature measurements with indications of permeability are sufficient to produce energy from geothermal resources, as determined through flow or injection testing or measurement of lost circulation while drilling.

“(iii) QUALIFIED FEDERAL LAND.—The term ‘qualified Federal land’ means land that is otherwise available for leasing under this Act.

“(iv) QUALIFIED GEOTHERMAL PROFESSIONAL.—The term ‘qualified geothermal professional’ means an individual who is an engineer or geoscientist in good professional standing with at least 5 years of experience in geothermal exploration, development, or project assessment.

“(v) QUALIFIED LESSEE.—The term ‘qualified lessee’ means a person that may hold a geothermal lease under this Act (including applicable regulations).

“(vi) VALID DISCOVERY.—The term ‘valid discovery’ means a discovery of a geothermal resource by a new or existing slim hole or production well, that exhibits downhole or flowing temperature measurements with indications of permeability that are sufficient to meet industry standards.

“(B) AUTHORITY.—An area of qualified Federal land that adjoins other land for which a qualified lessee holds a legal right to develop geothermal resources may be available for a noncompetitive lease under this section to the qualified lessee at the fair market value per acre, if—

“(i) the area of qualified Federal land—

“(I) consists of not less than 1 acre and not more than 640 acres; and

“(II) is not already leased under this Act or nominated to be leased under subsection (a);

“(ii) the qualified lessee has not previously received a noncompetitive lease under this paragraph in connection with the valid discovery for which data has been submitted under clause (ii)(I); and

“(iii) sufficient geological and other technical data prepared by a qualified geothermal professional has been submitted by the qualified lessee to the applicable Federal land management agency that would lead individuals who are experienced in the subject matter to believe that—

“(I) there is a valid discovery of geothermal resources on the land for which the qualified lessee holds the legal right to develop geothermal resources; and

“(II) that thermal feature extends into the adjoining areas.

“(C) DETERMINATION OF FAIR MARKET VALUE.—

“(i) IN GENERAL.—The Secretary shall—

“(I) publish a notice of any request to lease land under this paragraph;

“(II) determine fair market value for purposes of this paragraph in accordance with procedures for making those determinations that are established by regulations issued by the Secretary;

“(III) provide to a qualified lessee and publish, with an opportunity for public comment for a period of 30 days, any proposed determination under this subparagraph of the fair market value of an area that the qualified lessee seeks to lease under this paragraph; and

“(IV) provide to the qualified lessee and any adversely affected party the opportunity to appeal the final determination of fair market value in an administrative proceeding before the applicable Federal land management agency, in accordance with applicable law (including regulations).

“(ii) LIMITATION ON NOMINATION.—After publication of a notice of request to lease land under this paragraph, the Secretary may not accept under subsection (a) any nomination of the land for leasing unless the request has been denied or withdrawn.

“(iii) ANNUAL RENTAL.—For purposes of section 5(a)(3), a lease awarded under this paragraph shall be considered a lease awarded in a competitive lease sale.

“(D) REGULATIONS.—Not later than 270 days after the date of enactment of the Geothermal Production Expansion Act of 2013, the Secretary shall issue regulations to carry out this paragraph.”.

## THE CHESAPEAKE AND OHIO CANAL NATIONAL HISTORICAL PARK COMMISSION EXTENSION ACT

The Senate proceeded to consider the bill (S. 476) to amend the Chesapeake and Ohio Canal Development Act to extend to the Chesapeake and Ohio Canal National Historical Park Commission, 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:

The committee substitute was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The bill, as amended, is as follows:

[Insert the part printed in italic]

S. 476

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

## SECTION 1. CHESAPEAKE AND OHIO CANAL NATIONAL HISTORICAL PARK COMMISSION.

*The Chesapeake and Ohio Canal National Historical Park Commission (referred to in this Act as the “Commission”) is authorized in accordance with the provisions of section 6 of the Chesapeake and Ohio Canal Development Act (16 U.S.C. 410y-4), except that the Commission shall terminate 10 years after the date of enactment of this Act.*

## SAN JUAN COUNTY FEDERAL LAND CONVEYANCE ACT

The Senate proceeded to consider the bill (S. 609) to authorize the Secretary

of the Interior to convey certain Federal land in San Juan County, New Mexico, and for other purposes, which had been reported from the Committee on Energy and Natural Resources, with amendments; as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets and the parts of the bill intended to be inserted are shown in italics.)

The committee amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The bill, as amended, is as follows:

[Insert the part printed in italic]

S. 609

*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 “San Juan County Federal Land Conveyance Act”.

## SEC. 2. DEFINITIONS.

In this Act:

(1) FEDERAL LAND.—The term “Federal land” means the approximately 19 acres of [Federal land] *Federal surface estate generally depicted as “Lands Authorized for Conveyance” on the map.*

(2) LANDOWNER.—The term “landowner” means the plaintiffs in the case styled *Blancett v. United States Department of the Interior, et al.*, No. 10-cv-00254-JAP-KBM, United States District Court for the District of New Mexico.

(3) MAP.—The term “map” means the map entitled “San Juan County Land Conveyance” and dated June 20, 2012.

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

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

## SEC. 3. CONVEYANCE OF CERTAIN FEDERAL LAND IN SAN JUAN COUNTY, NEW MEXICO.

(a) IN GENERAL.—On request of the landowner, the Secretary shall, under such terms and conditions as the Secretary may prescribe *and subject to valid existing rights*, convey to the landowner all right, title, and interest of the United States in and to any portion of the Federal land (including any improvements or appurtenances to the Federal land) by sale.

(b) SURVEY; ADMINISTRATIVE COSTS.—

(1) SURVEY.—The exact acreage and legal description of the Federal land to be conveyed under subsection (a) shall be determined by a survey approved by the Secretary.

(2) COSTS.—The administrative costs associated with the conveyance shall be paid by the landowner.

(c) CONSIDERATION.—

(1) IN GENERAL.—As consideration for the conveyance of the Federal land under subsection (a), the landowner shall pay to the Secretary an amount equal to the fair market value of the Federal land conveyed, as determined under paragraph (2).

(2) APPRAISAL.—The fair market value of any Federal land that is conveyed under subsection (a) shall be determined by an appraisal acceptable to the Secretary that is performed in accordance with—

(A) the Uniform Appraisal Standards for Federal Land Acquisitions;

(B) the Uniform Standards of Professional Appraisal Practice; and

(C) any other applicable law (including regulations).

(d) DISPOSITION AND USE OF PROCEEDS.—