

The Chair recognizes the gentleman from Montana.

GENERAL LEAVE

Mr. GIANFORTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days 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 Montana?

There was no objection.

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

Mr. Speaker, the Alex Diekmann Peak Designation Act of 2017, introduced by Senator STEVE DAINES from Montana, would designate an unnamed peak in the Lee Metcalf Wilderness in my home State of Montana the Alex Diekmann Peak.

Alex Diekmann was a renowned conservationist who lived in Bozeman, Montana. He dedicated his professional life to protecting the scenic resources of more than 50 district areas in Montana, Wyoming, and Idaho and conserving more than 100,000 acres.

Mr. Diekmann brought together communities, landowners, sportsmen, and the general public in his conservation efforts and contributed to the future of natural treasures, such as the Greater Yellowstone Ecosystem, Glacier National Park, and the Cabinet-Yaak Ecosystem.

Mr. Diekmann left a noteworthy impact on the preservation of natural wonders in and near the Madison Valley and Madison Range of Montana. This pristine area is home to majestic scenery, fishing, wildlife, and recreational opportunities that will remain conserved and accessible to the public thanks to Alex's diligent work.

Mr. Diekmann lost his heroic battle with cancer on February 1, 2016, at the age of 52. He is survived by his wife, Lisa, and their two sons, Logan and Liam. He leaves a legacy of conservation across Montana and the northern Rockies that will continue to benefit the United States for generations to come.

The designation of this unnamed peak in the Lee Metcalf Wilderness in Montana will honor the life and legacy of Alex Diekmann. I thank Alex for his work on behalf of the American people and look forward to paying tribute to him by hiking Alex Diekmann Peak this coming summer with my wife and those of my children who can join us.

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

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

Mr. Speaker, S. 117 designates a peak in the Beaverhead National Forest as the Alex Diekmann Peak.

Alex Diekmann was a renowned conservationist who lived in Bozeman, Montana, not far from the Beaverhead National Forest and the peak that will soon bear his name.

As a senior project manager for The Trust for Public Land, Mr. Diekmann dedicated his professional life to protecting the natural and scenic resources of the northern Rockies. His conservation legacy is apparent throughout Montana, Wyoming, and Idaho, where he was directly involved in the conservation of more than 100,000 acres of public and private lands.

At the age of 52, Mr. Diekmann lost a heroic battle with cancer on February 1, 2016. To honor his enduring legacy, this bill renames a peak in the Lee Metcalf Wilderness in Montana as the Alex Diekmann Peak.

This is a good bill, and I urge my colleagues to support its adoption.

Mr. Speaker, I would like to close by encouraging my colleagues to vote in support of the naming of Alex Diekmann Peak in S. 117.

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

Mr. GIANFORTE. Mr. Speaker, I thank the gentlewoman from Hawaii for her help on this, and I would also urge my colleagues to vote for the bill.

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

Mr. HUFFMAN. Mr. Speaker, I rise to express my support for S. 117, the Alex Diekmann Peak Designation Act. Although I didn't work with Alex Diekmann personally, I am very familiar with the work that the Trust for Public Land has done across the West, and I have been told of all of Alex's individual achievements in protecting important wildlife corridors, fly-fishing streams, and ecosystems across Montana and the Northern Rockies. He spent the better part of two decades making the American West better, protecting landscapes within the Greater Yellowstone Ecosystem and securing places for our children's children to enjoy. This legislation is a fitting memorial to Alex Diekmann's life and legacy, and I urge my colleagues to join me in supporting it.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Montana (Mr. GIANFORTE) that the House suspend the rules and pass the bill, S. 117.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. GIANFORTE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

PERSHING COUNTY ECONOMIC DEVELOPMENT AND CONSERVATION ACT

Mr. GIANFORTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1107) to promote conservation, improve public land management, and provide for sensible development in Pershing County, Nevada, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1107

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Pershing County Economic Development and Conservation Act”.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

TITLE I—CHECKERBOARD LAND RESOLUTION

Sec. 101. Findings.

Sec. 102. Definitions.

Sec. 103. Sale or exchange of eligible land.

Sec. 104. Disposition of proceeds.

TITLE II—LAND CONVEYANCES AND TRANSFERS

Sec. 201. Conveyances of covered land.

Sec. 202. Conveyance of land for use as a public cemetery.

TITLE III—WILDERNESS AREAS

Sec. 301. Additions to the National Wilderness Preservation System.

Sec. 302. Administration.

Sec. 303. Wildlife management.

Sec. 304. Release of wilderness study areas.

Sec. 305. Native American cultural and religious uses.

SEC. 2. DEFINITIONS.

In this Act:

(1) COUNTY.—The term “County” means Pershing County, Nevada.

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

(3) STATE.—The term “State” means the State of Nevada.

(4) WILDERNESS AREA.—The term “wilderness area” means a wilderness area designated by section 301(a).

TITLE I—CHECKERBOARD LAND RESOLUTION

SEC. 101. FINDINGS.

Congress finds that—

(1) since the passage of the Act of July 1, 1862 (12 Stat. 489, chapter 120) (commonly known as the “Pacific Railway Act of 1862”), under which railroad land grants along the Union Pacific Railroad right-of-way created a checkerboard land pattern of alternating public land and privately owned land, management of the land in the checkerboard area has been a constant source of frustration for both private landholders and the Federal Government;

(2) management of Federal land in the checkerboard area has been costly and difficult for the Federal land management agencies, creating a disincentive to manage the land effectively;

(3) parcels of land within the checkerboard area in the County will not vary significantly in appraised value by acre due to the similarity of highest and best use in the County; and

(4) consolidation of appropriate land within the checkerboard area through sales and as acre-for-acre exchanges for development and Federal management will—

(A) help improve the tax base of the County; and

(B) simplify management for the Federal Government.

SEC. 102. DEFINITIONS.

In this title:

(1) ELIGIBLE LAND.—The term “eligible land” means—

(A) any land administered by the Director of the Bureau of Land Management that is within the area identified on the Map as “Checkerboard Lands Resolution Area” that

is designated for disposal by the Secretary through—

(i) the Winnemucca Consolidated Resource Management Plan; or

(ii) any subsequent amendment or revision to the management plan that is undertaken with full public involvement; and

(B) the land identified on the Map as “Additional Lands Eligible for Disposal”.

(2) MAP.—The term “Map” means the map entitled “Pershing County Checkerboard Lands Resolution” and dated February 9, 2017.

SEC. 103. SALE OR EXCHANGE OF ELIGIBLE LAND.

(a) AUTHORIZATION OF CONVEYANCE.—Notwithstanding sections 202 and 203, subsections (b) through (i) of section 206, and section 209 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1713, 1716, 1719), the Secretary, in cooperation with the County, in accordance with this Act and any other applicable law, and subject to valid existing rights, shall conduct sales or exchanges of the eligible land.

(b) JOINT SELECTION REQUIRED.—The Secretary and the County shall jointly select which parcels of eligible land to offer for sale or exchange under subsection (a).

(c) COMPLIANCE WITH LOCAL PLANNING AND ZONING LAWS.—Before carrying out a sale or exchange under subsection (a), the County shall submit to the Secretary a certification that qualified bidders have agreed to comply with—

(1) local zoning ordinances; and

(2) any master plan for the area approved by the County.

(d) METHOD OF SALE OR EXCHANGE.—

(1) IN GENERAL.—The sale or exchange of eligible land under subsection (a) shall be—

(A) consistent with subsections (b), (d), and (f) of section 203 and section 206(a) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1713, 1716(a)); and

(B) conducted through—

(i) a sale, which shall be—

(I) through a competitive bidding process, under which adjoining landowners are offered the first option, unless otherwise determined by the Secretary;

(II) for not less than fair market value, based on an appraisal in accordance with the Uniform Standards of Professional Appraisal Practice; and

(III) conducted in accordance with subsection (f); or

(ii) subject to paragraph (3), an acre-for-acre exchange for private land located within a Management Priority Area identified under paragraph (4)(A).

(2) MASS APPRAISAL.—Not later than 1 year after the date of enactment of this Act, and every 5 years thereafter, the Secretary shall—

(A) conduct a mass appraisal of the eligible land to determine whether any parcel of eligible land is likely valued at equal to or greater than \$500 per acre (in 2017 constant dollars, as measured by the Consumer Price Index); and

(B) make available to the public the results of the mass appraisal conducted under subparagraph (A).

(3) EXCLUSION.—

(A) IN GENERAL.—If the Secretary determines that a parcel of eligible land is likely valued at equal to or greater than \$500 per acre (in 2017 constant dollars, as measured by the Consumer Price Index) under paragraph (2)(A), the Secretary shall exclude that parcel from the acre-for-acre exchange described in paragraph (1)(B)(ii).

(B) PUBLICATION IN FEDERAL REGISTER.—If a mass appraisal of eligible land under paragraph (2)(A) is not finalized, or up-to-date and publicly available, before an acre-for-acre exchange described in paragraph

(1)(B)(ii) is completed, the Secretary may finalize the exchange if the Secretary publishes in the Federal Register—

(i) a determination stating that the one or more parcels of eligible land included in the exchange are likely valued at less than \$500 per acre (in 2017 constant dollars, as measured by the Consumer Price Index); and

(ii) a description of the methodology used to arrive at that determination.

(4) MANAGEMENT PRIORITY AREAS.—

(A) IN GENERAL.—Subject to subparagraph (B), not later than 1 year after the date of enactment of this Act, for the purpose of the exchanges authorized under paragraph (1)(B)(ii), the Secretary—

(i) shall identify Management Priority Areas within the Checkerboard Lands Resolution Area, as identified on the Map, that are considered by the Secretary to be—

(I) greater sage-grouse habitat;

(II) part of an identified wildlife corridor or designated critical habitat;

(III) of value for outdoor recreation or public access for hunting, fishing, and other recreational purposes;

(IV) of significant cultural, historic, ecological, or scenic value; or

(V) of value for improving Federal land management; and

(ii) as appropriate, may identify additional management priority areas in the County any time after the identification under clause (i) is completed.

(B) LIMITATION.—Management of Federal land within any Management Priority Area identified under subparagraph (A) shall not be changed based solely on that identification.

(c) WITHDRAWAL.—

(1) IN GENERAL.—Subject to valid existing rights and mining claims for which the claims maintenance fees have been paid in the applicable assessment year, effective on the date on which a parcel of eligible land is selected for sale or exchange under subsection (b), that parcel is withdrawn from—

(A) all forms of entry and appropriation under the public land laws, including the mining laws;

(B) location, entry, and patent under the mining laws; and

(C) operation of the mineral leasing and geothermal leasing laws.

(2) TERMINATION.—The withdrawal of a parcel of eligible land under paragraph (1) shall terminate—

(A) on the date of sale or, in the case of exchange, the conveyance of title of the parcel of eligible land under this title; or

(B) with respect to any parcel of eligible land selected for sale or exchange under subsection (b) that is not sold or exchanged, not later than 2 years after the date on which the parcel was offered for sale or exchange under this title.

(f) PARAMETERS FOR SALE OR EXCHANGE.—

(1) SALES.—

(A) DEADLINE.—Except as provided in paragraph (3), not later than 1 year after the date of enactment of this Act, and not less frequently than once per year thereafter until the date on which the limitation in subparagraph (B) has been reached or the date on which the County requests a postponement under paragraph (3), the Secretary shall offer for sale the parcels of eligible land jointly selected under subsection (b).

(B) LIMITATION.—The total acreage of eligible land sold under this title shall consist of not more than 150,000 acres of eligible land.

(2) DEADLINE FOR EXCHANGES.—Except as provided in paragraph (3), not later than 1 year after the date on which the Management Priority Areas are identified under subsection (d)(4)(A), and not less frequently than once per year thereafter until the date on which all of the parcels of eligible land

have been disposed of or the date on which the County requests a postponement under paragraph (3), the Secretary shall offer for exchange the parcels of eligible land jointly selected under subsection (b).

(3) POSTPONEMENT; EXCLUSION FOR SALE OR EXCHANGE.—

(A) REQUEST BY COUNTY FOR POSTPONEMENT OR EXCLUSION.—At the request of the County, the Secretary shall postpone or exclude from a sale or exchange all or a portion of the eligible land jointly selected under subsection (b).

(B) INDEFINITE POSTPONEMENT.—Unless specifically requested by the County, a postponement under subparagraph (A) shall not be indefinite.

(C) POSTPONEMENT OR EXCLUSION BY THE SECRETARY.—The Secretary may postpone or exclude from a sale or exchange all or a portion of the eligible land jointly selected under subsection (b) for emergency ecological or safety reasons.

SEC. 104. DISPOSITION OF PROCEEDS.

(a) DISPOSITION OF PROCEEDS.—Of the proceeds from the sale of land under section 103 or 201—

(1) 5 percent shall be disbursed to the State for use in the general education program of the State;

(2) 10 percent shall be disbursed to the County for use as determined through normal County budgeting procedures; and

(3) the remainder shall be deposited in a special account in the Treasury of the United States, to be known as the “Pershing County Special Account”, which shall be available to the Secretary, in consultation with the County, for—

(A) the reimbursement of costs incurred by the Department of the Interior in preparing for the sale or exchange of the eligible land, including—

(i) the costs of surveys and appraisals; and

(ii) the costs of compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1713);

(B) the conduct of wildlife habitat conservation and restoration projects, including projects that benefit the greater sage-grouse in the County;

(C) a project or activity carried out in the County to address drought conditions;

(D) the implementation of wildfire suppression and restoration projects in the County;

(E) the acquisition of environmentally sensitive land or interests in environmentally sensitive land in the County;

(F) projects that secure public access to Federal land for hunting, fishing, and other recreational purposes through easements or rights-of-way in the County; and

(G) the conduct of any surveys related to the designation of the wilderness areas under title III.

(b) INVESTMENT OF SPECIAL ACCOUNT.—Any amounts deposited in the special account established under subsection (a)(3)—

(1) shall earn interest in an amount determined by the Secretary of the Treasury, based on the current average market yield on outstanding marketable obligations of the United States of comparable maturities; and

(2) may be expended by the Secretary in accordance with this section.

(c) REPORTS.—

(1) IN GENERAL.—Beginning with fiscal year 2020, and once every 5 fiscal years thereafter, not later than 60 days after the last day of the preceding fiscal year, the Secretary shall submit to the State, the County, and the appropriate committees of Congress a report on

the operation of the special account established under subsection (a)(3) for the preceding 5 fiscal years.

(2) **CONTENTS.**—Each report submitted under paragraph (1) shall include, for the fiscal year covered by the report—

(A) a statement of the amounts deposited into the special account;

(B) a description of the expenditures made from the special account for the fiscal year, including the purpose of the expenditures;

(C) recommendations for additional authorities to fulfill the purpose of the special account; and

(D) a statement of the balance remaining in the special account at the end of the fiscal year.

TITLE II—LAND CONVEYANCES AND TRANSFERS

SEC. 201. CONVEYANCES OF COVERED LAND.

(a) **DEFINITIONS.**—In this section:

(1) **COVERED LAND.**—The term “covered land” means any Federal land or interest in Federal land in the County identified on the Map as “Covered Land”.

(2) **MAP.**—The term “Map” means the map entitled “Pershing County Land Conveyances and Transfers” and dated February 9, 2017.

(3) **QUALIFIED ENTITY.**—The term “qualified entity” means, with respect to a portion of covered land—

(A) the owner of the mining claims, mill-sites, or tunnel sites on a portion of the covered land on the date of enactment of this Act;

(B) the lessee, or other successor in interest of the owner—

(i) with the right of possession of the mining claims, millsites, or tunnel sites on the covered land;

(ii) that has paid (or whose agent has paid) the annual claim maintenance fee or filed a maintenance fee waiver on or before September 1, 2017, with the authority or consent of the owner, for the upcoming assessment year for the mining claims, millsites, or tunnel sites within the exterior boundary of the portion of covered land, as determined based on the claim maintenance fee records of the Bureau of Land Management as of the date of introduction of this Act; and

(iii) that has the authority or consent of the owner to acquire the portion of covered land; or

(C) a subsequent successor to the interest of a qualified entity in the covered land that has the authority or consent of the owner to acquire the portion of covered land.

(b) **LAND CONVEYANCES.**—

(1) **IN GENERAL.**—Subject to paragraph (3), notwithstanding the inventory and land use planning requirements of sections 201 and 202 or the sales provisions of section 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1711, 1712, 1713), not later than 180 days after the date of enactment of this Act and subject to valid existing rights held by third parties and any mining claims, mill-site, or tunnel site of a qualified entity applicable to the covered land, the Secretary shall offer for sale to qualified entities, for fair market value, the remaining right, title, and interest of the United States in and to the covered land.

(2) **CONVEYANCE.**—Not later than 1 year after the date of the acceptance of an offer under paragraph (1) by a qualified entity and completion of a sale for all or part of the covered land to a qualified entity, the Secretary, by delivery of an appropriate deed, patent, or other valid instrument of conveyance, shall convey to the qualified entity, all remaining right, title, and interest of the United States in and to the applicable portion of the covered land.

(3) **MERGER.**—Subject to valid existing rights held by third parties, on delivery of

the instrument of conveyance to the qualified entity under paragraph (2), any prior interests in the locatable minerals and the right to use the surface for mineral purposes held by the qualified entity under a mining claim, millsite, tunnel site, or any other Federal land use authorization applicable to the covered land conveyed to the qualified entity shall merge with all right, title, and interest conveyed to the qualified entity by the United States under this section to ensure that the qualified entity receives fee simple title to the purchased covered land.

(4) **APPRAISAL TO DETERMINE FAIR MARKET VALUE.**—The Secretary shall determine the fair market value of the covered land to be conveyed under this subsection in accordance with—

(A) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(B) the Uniform Standards of Professional Appraisal Practice.

(5) **COSTS.**—As a condition of the conveyance of the covered land under this section, the qualified entity shall pay all costs related to the conveyance of the covered land conveyed, including the costs of surveys and other administrative costs associated with the conveyance.

(6) **AVAILABILITY OF MAP.**—The Map shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(7) **MINOR CORRECTIONS.**—The Secretary, in consultation with the County, may correct minor errors in the Map or a description of the covered land.

(c) **DISPOSITION OF PROCEEDS.**—Any amounts collected under this section shall be disposed of in accordance with section 104.

(d) **TERMINATION.**—The authority of the Secretary to sell covered land under this section shall terminate on the date that is 10 years after the date of enactment of this Act.

SEC. 202. CONVEYANCE OF LAND FOR USE AS A PUBLIC CEMETERY.

(a) **IN GENERAL.**—The Secretary shall convey to the County, without consideration, the Federal land described in subsection (b).

(b) **DESCRIPTION OF FEDERAL LAND.**—The Federal land referred to in subsection (a) is the approximately 10 acres of land depicted as “Unionville Cemetery” on the Map.

(c) **USE OF CONVEYED LAND.**—The Federal land conveyed under subsection (a) shall be used by the County as a public cemetery.

TITLE III—WILDERNESS AREAS

SEC. 301. ADDITIONS TO THE NATIONAL WILDERNESS PRESERVATION SYSTEM.

(a) **ADDITIONS.**—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following parcels of Federal land in the State are designated as wilderness and as components of the National Wilderness Preservation System:

(1) **CAIN MOUNTAIN WILDERNESS.**—Certain Federal land managed by the Bureau of Land Management, comprising approximately 12,339 acres, as generally depicted on the map entitled “Proposed Cain Mountain Wilderness” and dated February 9, 2017, which shall be known as the “Cain Mountain Wilderness”.

(2) **BLUEWING WILDERNESS.**—Certain Federal land managed by the Bureau of Land Management, comprising approximately 24,900 acres, as generally depicted on the map entitled “Proposed Bluewing Wilderness” and dated February 9, 2017, which shall be known as the “Bluewing Wilderness”.

(3) **SELENITE PEAK WILDERNESS.**—Certain Federal land managed by the Bureau of Land Management, comprising approximately 22,822 acres, as generally depicted on the map entitled “Proposed Selenite Peak Wilderness” and dated February 9, 2017, which shall be known as the “Selenite Peak Wilderness”.

(4) **MOUNT LIMBO WILDERNESS.**—Certain Federal land managed by the Bureau of Land Management, comprising approximately 11,855 acres, as generally depicted on the map entitled “Proposed Mt. Limbo Wilderness” and dated February 9, 2017, which shall be known as the “Mount Limbo Wilderness”.

(5) **NORTH SAHWAVE WILDERNESS.**—Certain Federal land managed by the Bureau of Land Management, comprising approximately 13,875 acres, as generally depicted on the map entitled “Proposed North Sahwawe Wilderness” and dated February 9, 2017, which shall be known as the “North Sahwawe Wilderness”.

(6) **GRANDFATHERS’ WILDERNESS.**—Certain Federal land managed by the Bureau of Land Management, comprising approximately 35,339 acres, as generally depicted on the map entitled “Proposed Grandfathers’ Wilderness” and dated February 9, 2017, which shall be known as the “Grandfathers’ Wilderness”.

(7) **FENCEMAKER WILDERNESS.**—Certain Federal land managed by the Bureau of Land Management, comprising approximately 14,942 acres, as generally depicted on the map entitled “Proposed Fencemaker Wilderness” and dated February 9, 2017, which shall be known as the “Fencemaker Wilderness”.

(b) **BOUNDARY.**—The boundary of any portion of a wilderness area that is bordered by a road shall be 100 feet from the centerline of the road.

(c) **MAP AND LEGAL DESCRIPTION.**—

(1) **IN GENERAL.**—As soon as practicable after the date of enactment of this Act, the Secretary shall file a map and legal description of each wilderness area.

(2) **EFFECT.**—Each map and legal description prepared under paragraph (1) shall have the same force and effect as if included in this Act, except that the Secretary may correct clerical and typographical errors in the map or legal description.

(3) **AVAILABILITY.**—Each map and legal description prepared under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(4) **WITHDRAWAL.**—Subject to valid existing rights, the wilderness areas designated by subsection (a) are withdrawn from—

(A) all forms of entry, appropriation, and disposal under the public land laws;

(B) location, entry, and patent under the mining laws; and

(C) disposition under all laws relating to mineral and geothermal leasing or mineral materials.

SEC. 302. ADMINISTRATION.

(a) **MANAGEMENT.**—Subject to valid existing rights, the wilderness areas shall be administered by the Secretary in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), except that—

(1) any reference in that Act to the effective date shall be considered to be a reference to the date of enactment of this Act; and

(2) any reference in that Act to the Secretary of Agriculture shall be considered to be a reference to the Secretary.

(b) **LIVESTOCK.**—The grazing of livestock in the wilderness areas, if established before the date of enactment of this Act, shall be allowed to continue, subject to such reasonable regulations, policies, and practices as the Secretary considers to be necessary in accordance with—

(1) section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)); and

(2) the guidelines set forth in Appendix A of the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 2570 of the 101st Congress (House Report 101-405).

(c) **INCORPORATION OF ACQUIRED LAND AND INTERESTS.**—Any land or interest in land

within the boundary of a wilderness area that is acquired by the United States after the date of enactment of this Act shall be added to and administered as part of the wilderness area.

(d) **ADJACENT MANAGEMENT.**—

(1) **IN GENERAL.**—Congress does not intend for the designation of the wilderness areas to create protective perimeters or buffer zones around the wilderness areas.

(2) **NONWILDERNESS ACTIVITIES.**—The fact that nonwilderness activities or uses can be seen or heard from areas within a wilderness area shall not preclude the conduct of those activities or uses outside the boundary of the wilderness area.

(e) **MILITARY OVERFLIGHTS.**—Nothing in this Act restricts or precludes—

(1) low-level overflights of military aircraft over the wilderness areas, including military overflights that can be seen or heard within the wilderness areas;

(2) flight testing and evaluation; or

(3) the designation or creation of new units of special use airspace, or the establishment of military flight training routes, over the wilderness areas.

(f) **WILDFIRE, INSECT, AND DISEASE MANAGEMENT.**—In accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)), the Secretary may take such measures in the wilderness areas as are necessary for the control of fire, insects, and diseases (including, as the Secretary determines to be appropriate, the coordination of the activities with a State or local agency).

(g) **CLIMATOLOGICAL DATA COLLECTION.**—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.) and subject to such terms and conditions as the Secretary may prescribe, the Secretary may authorize the installation and maintenance of hydrologic, meteorologic, or climatological data collection devices in the wilderness areas if the Secretary determines that the facilities and access to the facilities are essential to flood warning, flood control, or water reservoir operation activities.

(h) **WATER RIGHTS.**—

(1) **FINDINGS.**—Congress finds that—

(A) the wilderness areas are located—

(i) in the semiarid region of the Great Basin; and

(ii) at the headwaters of the streams and rivers on land with respect to which there are few, if any—

(I) actual or proposed water resource facilities located upstream; and

(II) opportunities for diversion, storage, or other uses of water occurring outside the land that would adversely affect the wilderness values of the land;

(B) the wilderness areas are generally not suitable for use or development of new water resource facilities; and

(C) because of the unique nature of the wilderness areas, it is possible to provide for proper management and protection of the wilderness and other values of land in ways different from those used in other laws.

(2) **PURPOSE.**—The purpose of this section is to protect the wilderness values of the wilderness areas by means other than a federally reserved water right.

(3) **STATUTORY CONSTRUCTION.**—Nothing in this Act—

(A) constitutes an express or implied reservation by the United States of any water or water rights with respect to the wilderness areas;

(B) affects any water rights in the State (including any water rights held by the United States) in existence on the date of enactment of this Act;

(C) establishes a precedent with regard to any future wilderness designations;

(D) affects the interpretation of, or any designation made under, any other Act; or

(E) limits, alters, modifies, or amends any interstate compact or equitable apportionment decree that apportions water among and between the State and other States.

(4) **NEVADA WATER LAW.**—The Secretary shall follow the procedural and substantive requirements of State law in order to obtain and hold any water rights not in existence on the date of enactment of this Act with respect to the wilderness areas.

(5) **NEW PROJECTS.**—

(A) **DEFINITION OF WATER RESOURCE FACILITY.**—

(i) **IN GENERAL.**—In this paragraph, the term “water resource facility” means irrigation and pumping facilities, reservoirs, water conservation works, aqueducts, canals, ditches, pipelines, wells, hydropower projects, transmission and other ancillary facilities, and other water diversion, storage, and carriage structures.

(ii) **EXCLUSION.**—In this paragraph, the term “water resource facility” does not include wildlife guzzlers.

(B) **RESTRICTION ON NEW WATER RESOURCE FACILITIES.**—Except as otherwise provided in this Act, on and after the date of the enactment of this Act, neither the President nor any other officer, employee, or agent of the United States shall fund, assist, authorize, or issue a license or permit for the development of any new water resource facility within the wilderness areas.

(i) **TEMPORARY TELECOMMUNICATIONS DEVICE.**—

(1) **IN GENERAL.**—Nothing in this Act prevents the placement of a temporary telecommunications device for law enforcement or agency administrative purposes in the Selenite Peak Wilderness in accordance with paragraph (2).

(2) **ADDITIONAL REQUIREMENTS.**—Any temporary telecommunications device authorized by the Secretary under paragraph (1) shall—

(A) be carried out in accordance with—

(i) the Wilderness Act (16 U.S.C. 1131 et seq.); and

(ii) all other applicable laws (including regulations);

(B) to the maximum practicable, be located in such a manner as to minimize impacts on the recreational and other wilderness values of the area; and

(C) be for a period of not longer than 7 years.

SEC. 303. WILDLIFE MANAGEMENT.

(a) **IN GENERAL.**—In accordance with section 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)), nothing in this Act affects or diminishes the jurisdiction of the State with respect to fish and wildlife management, including the regulation of hunting, fishing, and trapping, in the wilderness areas.

(b) **MANAGEMENT ACTIVITIES.**—In furtherance of the purposes and principles of the Wilderness Act (16 U.S.C. 1131 et seq.), the Secretary may conduct any management activities in the wilderness areas that are necessary to maintain or restore fish and wildlife populations and the habitats to support the populations, if the activities are carried out—

(1) consistent with relevant wilderness management plans; and

(2) in accordance with—

(A) the Wilderness Act (16 U.S.C. 1131 et seq.); and

(B) appropriate policies, such as those set forth in Appendix B of the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 2570 of the 101st Congress (House Report 101-405), including noxious weed treatment and the occasional and temporary use of motorized vehicles if the use, as determined by the Secretary, would promote healthy, viable,

and more naturally distributed wildlife populations that would enhance wilderness values with the minimal impact necessary to reasonably accomplish those tasks.

(c) **EXISTING ACTIVITIES.**—Consistent with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)) and in accordance with appropriate policies such as those set forth in Appendix B of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 2570 of the 101st Congress (House Report 101-405), the State may continue to use aircraft, including helicopters, to survey, capture, transplant, monitor, and provide water for wildlife populations, specifically sage-grouse, in the wilderness areas.

(d) **WILDLIFE WATER DEVELOPMENT PROJECTS.**—Subject to subsection (f), the Secretary shall authorize structures and facilities, including existing structures and facilities, for wildlife water development projects, including guzzlers, in the wilderness areas if—

(1) the structures and facilities will, as determined by the Secretary, enhance wilderness values by promoting healthy, viable and more naturally distributed wildlife populations; and

(2) the visual impacts of the structures and facilities on the wilderness areas can reasonably be minimized.

(e) **HUNTING, FISHING, AND TRAPPING.**—

(1) **IN GENERAL.**—The Secretary may designate areas in which, and establish periods during which, for reasons of public safety, administration, or compliance with applicable laws, no hunting, fishing, or trapping will be permitted in the wilderness areas.

(2) **CONSULTATION.**—Except in emergencies, the Secretary shall consult with the appropriate State agency and notify the public before taking any action under paragraph (1).

(f) **COOPERATIVE AGREEMENT.**—

(1) **IN GENERAL.**—The State, including a designee of the State, may conduct wildlife management activities in the wilderness areas—

(A) in accordance with the terms and conditions specified in the cooperative agreement between the Secretary and the State entitled “Memorandum of Understanding between the Bureau of Land Management and the Nevada Department of Wildlife Supplement No. 9” and signed November and December 2003, including any amendments to the cooperative agreement agreed to by the Secretary and the State; and

(B) subject to all applicable laws (including regulations).

(2) **REFERENCES; CLARK COUNTY.**—For the purposes of this subsection, any references to Clark County in the cooperative agreement described in paragraph (1)(A) shall be considered to be a reference to the wilderness areas.

SEC. 304. RELEASE OF WILDERNESS STUDY AREAS.

(a) **FINDING.**—Congress finds that, for the purposes of section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)), the approximately 48,600 acres of public land in the portions of the China Mountain, Mt. Limbo, Selenite Mountains, and Tobin Range wilderness study areas that have not been designated as wilderness by section 301(a) and the portion of the Augusta Mountains wilderness study area within the County that has not been designated as wilderness by section 301(a) have been adequately studied for wilderness designation.

(b) **RELEASE.**—The public land described in subsection (a)—

(1) is no longer subject to section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)); and

(2) shall be managed in accordance with the applicable land use plans adopted under

section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712).

SEC. 305. NATIVE AMERICAN CULTURAL AND RELIGIOUS USES.

(a) IN GENERAL.—Nothing in this title alters or diminishes the treaty rights of any Indian tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)).

(b) CULTURAL USES.—Nothing in this title precludes the traditional collection of pine nuts in a wilderness area for personal, non-commercial use consistent with the Wilderness Act (16 U.S.C. 1131 et seq.).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Montana (Mr. GIANFORTE) and the gentlewoman from Hawaii (Ms. HANABUSA) each will control 20 minutes.

The Chair recognizes the gentleman from Montana.

GENERAL LEAVE

Mr. GIANFORTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days 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 Montana?

There was no objection.

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

Mr. Speaker, H.R. 1107, introduced by Congressman MARK AMODEI of Nevada, is a bipartisan bill that consolidates over 300,000 acres of checkerboard land previously identified for disposal by the Bureau of Land Management in Pershing County, Nevada. This bill conveys land for mining and other public purposes, creates a new wilderness area, and releases certain wilderness study areas, all to benefit conservation, recreation, and economic development in the county.

Mr. Speaker, 85 percent of Nevada's land is owned and operated by the Federal Government. Not only does this deprive the State final say on management decisions in its own backyard, but it also deprives the State of the tax base utilized by other States to fund roads, school districts, and police departments.

Pershing County, Nevada, is no different. Seventy-five percent of the county is federally owned. This bill is a result of over a decade of negotiations between locally elected officials, miners, conservationists, sportsmen, ranchers, and residents in the county. Their hard work and commitment to bipartisanship has resulted in a bill that benefits all parties, guaranteeing that both the economic and ecological future of the county are protected.

This bill, in addition to being cosponsored by all Nevada congressional Representatives, is supported by Pershing County, Friends of Nevada Wilderness, the Nevada Chapter of the Backcountry Hunters and Anglers, Coalition for Nevada's Wildlife, and several Nevadan mining companies, including Clover Nevada, Coeur Mining, EP Minerals, Gold Acquisition Corp., and Solidus Resources.

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

□ 1715

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

Mr. Speaker, H.R. 1107 is a bill cosponsored by the entire Nevada delegation that will enhance both economic development opportunities and the conservation of public land in Pershing County.

First, I want to mention that this bill will designate over 130,000 acres of wilderness. This is a significant conservation victory and I would like to congratulate everyone who has worked on making this a reality.

In addition to the wilderness designation, this bill establishes a process to exchange or sell up to 400,000 acres of Federal land throughout Pershing County. I understand that the BLM and other interested parties have raised some concerns with the appraisal process set up in the bill. Unfortunately, we were not able to address these concerns at markup, but I hope we can continue working with our colleagues in the Senate to make any necessary changes to the bill.

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

Mr. GIANFORTE. Mr. Speaker, I yield such time as he may consume to the gentleman from Nevada (Mr. AMODEI).

Mr. AMODEI. Mr. Speaker, I thank my colleagues from Montana and Hawaii for their supportiveness.

Briefly, Mr. Speaker, this is what you get when people talk about issues and not clichés. This is a long time in the making, as has been previously indicated, folks from the wilderness areas, folks from economic development areas, folks from the resource extraction areas all coming together on this.

But just in case there is some concern about, oh my God, potentially we are transferring the Federal estate, let's remind people of a couple of things that are in this legislation.

First of all, nothing is transferred for nothing. It talks about the appraisal process and how, if you are going to purchase the Federal estate, you are going to pay for it.

Secondly, it is talking about exchanges along the Trans-Pacific legislation on the checkerboard from 1862, which talks about the Secretary of the Interior is a full partner with the county commission in identifying those lands that are appropriate for exchange.

Why is this important?

This is important because if they don't think it is a good idea to exchange, then the Secretary of the Interior can stop that process, so it doesn't force the Secretary of the Interior to exchange land that he or she, in the future, doesn't want to.

But let's remind ourselves of one other thing. Exchanges of checker-

board land are not just something that benefits perhaps economic development along the Interstate 80 corridor, or somebody who does a cow-calf operation somewhere. It also allows resource managers, Federal land managers, wildlife people to consolidate checkerboard lands where they need to be consolidated, to do things like preserve habitat, preserve special resource areas, whether it is for mule deer, whether it is for the endangered species potential of the sage hen, and other things like that. So it is a two-way street.

So my congratulations to the folks of Pershing County and the BLM employees in the Winnemucca district.

By the way, no lands are subject to this that haven't been identified in their resource management plan, their planning document, as potentially available for either exchange or disposal.

Finally, I want to remind you of this: there are 150,000 acres that can be bought out of a potential Federal estate of over 9 million acres in that county. So it is a fraction of 1 percent. And of the potential available for exchange, it sets an upper limit of 300,000, potential. The county has to ask for it, the Secretary has to agree to an exchange.

So when you talk about the size of the Federal estate in Pershing County—which, by the way, is the home to the Burning Man festival, for those of you who follow that sort of stuff—it is something that is, quite frankly, not going to change the landscape, literally speaking, in terms of the ownership and the diminishment of the Federal estate. They are still the major player to the tune of—at the end of the day, 95 percent of the Federal estate is still intact.

Finally, on wilderness study areas and wilderness creation areas, in this bill, you have created about 148,000 acres of new wilderness areas and you have released parts of five different wilderness study areas that are about 48,000 acres. So when you start talking about this is a good housekeeping measure, it allows Pershing County to come into the new age in terms of what they think is appropriate for their economic diversification and vitality, but also gives Federal land managers, resource folks, wildlife groups, and conservation groups, the tools to do good things in Pershing County, too.

Mr. Speaker, I want to thank my colleague for his generous provision of the time.

The last piece is this: the most successful public lands legislation in the country is probably the Southern Nevada Public Lands Management Act, which turns 20 this year. Much of this is patterned on that.

When you talk about what happens when they sell land, money goes to education and it goes to the county, and then 85 percent of every dollar brought in goes for the benefit of those Federal lands, for those land managers in Pershing County.

It has been working in southern Nevada for 20 years. This is a good step. I encourage bipartisan, nationwide support.

Ms. HANABUSA. Mr. Speaker, I am just going to close by saying that I request that all of our colleagues vote to support H.R. 1107, Pershing County Economic Development and Conservation Act.

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

Mr. GIANFORTE. Mr. Speaker, I would echo the sentiments of the gentlewoman from Hawaii (Ms. HANABUSA). I urge my colleagues to vote for this bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Montana (Mr. GIANFORTE) that the House suspend the rules and pass the bill, H.R. 1107, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

POARCH BAND OF CREEK INDIANS LAND REAFFIRMATION ACT

Mr. GIANFORTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1532) to reaffirm that certain land has been taken into trust for the benefit of the Poarch Band of Creek Indians, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1532

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 "Poarch Band of Creek Indians Land Reaffirmation Act".

SEC. 2. REAFFIRMATION OF INDIAN TRUST LAND.

(a) IN GENERAL.—Lands described in subsection (b) that were taken into trust by the United States for the benefit of the Poarch Band of Creek Indians prior to the date of enactment of this Act are reaffirmed, subject to valid existing rights, as trust land and shall remain as Indian country under section 1151 of title 18, United States Code.

(b) DESCRIPTION OF LAND.—The land referred to in subsection (a) is comprised of the following:

(1) The approximately 229½ acres described in the final Notice of the Department of the Interior's Poarch Band of Creeks Establishment of Reservation (50 Fed. Reg. 15502 (April 18, 1985)), and Poarch Band of Creeks; Establishment of Reservation: Correction (50 Fed. Reg. 19813 (May 10, 1985)), and shown on Poarch Band of Creek Indians Trust Lands Maps 1, 2, and 5 as "Reservation".

(2) The approximately 1 acre named as Parcel 5 located within the exterior geographic boundaries of Escambia County, Florida, which was taken into trust by the Department of the Interior via Statutory Warranty Deed on November 21, 1984, shown on Poarch Band of Creek Indians Trust Lands Map 7, and further described as:

Commence at the Southeast corner of the Northwest Quarter of Section 5, Township 5 North, Range 33 West, Escambia County,

Florida; thence go West along the South line of the Northwest Quarter of said Section 5 for a distance of 420 feet; thence run North for a distance of 40 feet to the point of beginning; thence continue North along said line for a distance of 210 feet; thence run West for a distance of 210 feet; thence run South for a distance of 210 feet; thence run East 210 feet to the point of beginning, containing one acre, more or less.

(3) The approximately 1 acre named as Parcel 6 located within the exterior geographic boundaries of Monroe County, Alabama, which was taken into trust by the Department of the Interior via Statutory Warranty Deed on November 21, 1984, shown on Poarch Band of Creek Indians Trust Lands Map 3, and further described as:

One acre in a square in Southeast corner of the ten-acre strip on the North side of South Half of Southeast Quarter lying West of the highway in Section 26, Township 5 North, Range 6 East, being the same property conveyed to the Grantor by deed dated July 23, 1984 and filed for record in the office of the Judge of Probate of Monroe County, Alabama on July 23, 1984, and by correction deed dated November 21, 1984.

(4) The approximately 10 acres named as Parcel 12 located within the exterior geographic boundaries of Escambia County, Alabama, which were taken into trust by the Department of the Interior via Correction Deed on November 21, 1988, shown on Poarch Band of Creek Indians Trust Lands Map 4, and further described as:

Begin at a 2" iron pipe at the intersection of the South line of Section 5, Township 1 North, Range 6 East, and the East right of way line of Alabama State Highway No. 21; thence run S 89° 03' 00" E along said South line of Section 5 a distance of 860.93 feet; thence run N 00° 04' 57" W a distance of 608.47 feet; thence run N 89° 56' 20" W a distance of 575.73 feet to the aforementioned East right of way line of Alabama State Highway No. 21; thence run S 25° 32' 21" W along said East right of way line a distance of 659.22 feet to the point of beginning, said property lying and being all in Section 5, Township 1 North, Range 6 East, and containing 10.09 acres, more or less.

(5) The approximately 10 acres named as Parcel 10 located within the exterior geographic boundaries of Escambia County, Alabama, which were taken into trust by the Department of the Interior via Warranty Deed on August 17, 1992, shown on Poarch Band of Creek Indians Trust Lands Map 2, and further described as:

Commencing at the Southeast corner of the Northeast 1/4 of Southwest 1/4 - Section 28 Township 2 North Range 6 East; thence North 577.5 feet; thence North 89 degrees West 2726 feet to the point of beginning; thence North 89 degrees West 100 feet; thence South 210 feet; thence North 89 degrees West 855 feet; thence South 0 degrees 21 minutes West 378.37 feet; thence South 84 degrees 40 minutes East 966 feet; thence North 28 degrees 32 minutes East 300 feet; thence North 89 degrees West 148 feet; thence North 395.34 feet to point of beginning. Containing 10.08 acres.

(6) The approximately 52 acres named as Parcel 14 located within the exterior geographic boundaries of Escambia County, Alabama, which was taken into trust by the Department of the Interior via Warranty Deed on August 17, 1992, shown on Poarch Band of Creek Indians Trust Lands Map 1, and further described as:

All of the North half of Northwest Quarter of Section 34, Township 2 North, Range 5 East lying East of the Poarch-Perdido Road.

(7) The approximately 31 acres named as Parcel 15 located within the exterior geographic boundaries of Escambia County, Ala-

bama, which were taken into trust by Warranty Deed on August 17, 1992, shown on Poarch Band of Creek Indians Trust Lands Map 1, and further described as:

All of the West Half of Northwest Quarter of Section 34, Township 2 North, Range 5 East lying North of Dees Road and West of the Poarch-Perdido Road.

(8) The approximately 8 acres named as Parcel 16 located within the exterior geographic boundaries of Escambia County, Alabama, which were taken into trust by the Department of the Interior via Warranty Deed on August 17, 1992, shown on Poarch Band of Creek Indians Trust Lands Map 1, and further described as:

Beginning at the Southwest corner of Northwest Quarter of Southwest Quarter of Section 27, Township 2 North, Range 5 East; thence run East 1145 feet to the public road; thence North 3 degrees 15 minutes East 380 feet along said road; thence run West 1167 feet; thence run South 380 feet to point of beginning containing ten acres, except two acres described as follows:

Beginning at the aforesaid point of beginning thence run East 848 feet to the starting point; thence run North 297 feet, thence run East 298 feet, more or less, to the West right of way of Old Sullivan Mill Road; thence run Southwesterly along said right of way to the South line of Northwest Quarter of Southwest Quarter of said Section 27; thence run West 297 feet to the starting point, containing eight acres, more or less.

(9) The approximately 34 acres named as Parcel 22 located within the exterior geographic boundaries of Escambia County, Alabama, which was taken into trust by the Department of the Interior via Warranty Deed on August 17, 1992, shown on Poarch Band of Creek Indians Trust Lands Map 1, and further described as:

Commence at a one-inch metal pipe being the Southwest corner of Section 27, Township 2 North, Range 5 East Escambia County, Alabama; thence go N 00° 38' 26" W along the West line of said Section 27 for a distance of 8.0 feet to a point on the Northerly right of way line of Jackson Road (40 foot right of way), said point also being the point of beginning; thence continue N 00° 38' 26" W along said West section line for a distance of 1321.23 feet to the Northwest corner of the Southwest Quarter of Southwest Quarter at said Section 27; thence go N 89° 30' 13" E along the North line of said Southwest Quarter of Southwest Quarter for a distance of 1146.48 feet to the Westerly right of way line of Poarch-Perdido Road (40 foot right of way); thence go S 00° 34' 55" W along said Westerly right of way line for a distance of 287.65 feet; thence go S 01° 30' 05" W for a distance of 40.0 feet; thence go S 00° 00' 31" W along aforesaid Westerly right of way line for a distance of 195.59 feet; thence go S 02° 34' 30" W along aforesaid right of way line for a distance of 172.73 feet; thence go S 04° 24' 35" W along aforesaid right of way for a distance of 630.72 feet to the intersection with the Northerly right of way of said Jackson Road; thence go S 89° 39' 16" W along said Northerly right of way line for a distance of 1071.43 feet to the point of beginning, it being the intention to describe herein and convey hereby all of the Southwest Quarter of Southwest Quarter of Section 27, Township 2 North, Range 5 East, lying West of the public road.

(10) The approximately 13 acres named as Parcel 17 located within the exterior geographic boundaries of Montgomery County, Alabama, which were taken into trust by the Department of the Interior via Warranty Deed on March 23, 1995, shown on Poarch Band of Creek Indians Trust Lands Map 6, and further described as: