

(4) Many visitors are unaware that were it not for the tireless work and advocacy of then-freshman Congressman Lester Wolff, this area would today be an 8.5-mile causeway and bridge across Long Island Sound between Oyster Bay and Rye, New York, connecting Nassau and Westchester Counties.

(5) The bridge was first proposed by Robert Moses, the well-known New York City Planner, to divert traffic from New York City. Former Governor Nelson Rockefeller signed into law legislation creating the bridge authorized by the New York State Legislature in 1967.

(6) Congressman Wolff, elected in 1964, quickly decided the bridge would be an intrusion in a pristine area, and that Long Island Sound was a very precious resource that was despoiled. The conservation threats in the mid-1960s were suburban development, wetland filling, and industrial pollution. The fight to preserve this land became an enormous political fight and is considered to be a turning point in New York State's environmental legacy.

(7) With State and local political and community leaders, and especially the North Shore leaders and the Committee to Save the Long Island Sound, Congressman Wolff arranged a meeting with Department of the Interior representatives and local leaders where the idea of creating a wildlife refuge from municipal and privately owned wetlands was created.

(8) The Town of Oyster Bay, in which one end of the bridge was to be located, deeded 5,000 acres of wetlands to the United States to be maintained as a Federal wildlife preserve. It was stipulated that if the Department of the Interior agreed to an intrusion of the property, it would revert to the town. Creating a Federal wildlife preserve provided the land with Federal protection.

(9) Because of the vision, dedication, and perseverance of Congressman Lester Wolff, all of us and future generations can enjoy the beauty and magnificence of this refuge.

SEC. 2. RENAMING THE OYSTER BAY NATIONAL WILDLIFE REFUGE AS THE CONGRESSMAN LESTER WOLFF NATIONAL WILDLIFE REFUGE.

(a) RENAMING.—The unit of the National Wildlife Refuge System known as the Oyster Bay National Wildlife Refuge and located near Oyster Bay, New York, shall be known as the “Congressman Lester Wolff National Wildlife Refuge”.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the unit of the National Wildlife Refuge System known as the Oyster Bay National Wildlife Refuge is deemed to be a reference to the “Congressman Lester Wolff National Wildlife Refuge”.

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

The Chair recognizes the gentleman from Colorado.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, H.R. 6064 would rename the Oyster Bay National Wildlife Ref-

uge as the Lester Wolff National Wildlife Refuge in honor of the former Long Island North Shore Congressman.

Elected to the United States House of Representatives in 1965, Congressman Wolff served eight terms representing the people of New York. During that time, he successfully pushed to create the Oyster Bay National Wildlife Refuge on the north shore of Long Island. It is both the largest refuge in the Long Island refuge complex and the most popular with visitors.

Congressman Wolff has the distinction of being the oldest living former Member of Congress. To this day, he continues to host a weekly PBS show called “Ask Congress,” where he works to connect the American people with U.S. legislators.

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

Ms. HANABUSA. Mr. Speaker, I would like to begin by yielding 4 minutes to the gentleman from New York (Mr. SUOZZI), my colleague, who was the sponsor of this bill.

Mr. SUOZZI. Mr. Speaker, I want to thank the gentlewoman from Hawaii and the gentleman from Colorado for recognizing me to support H.R. 6064, which will rename the Oyster Bay Wildlife Refuge as the Congressman Lester Wolff National Wildlife Refuge.

As Congressman LAMBORN pointed out, Congressman Wolff is the oldest living former Member of Congress, and he will be celebrating his 100th birthday on January 4, 2019.

The Congressman, back in the 1960s, got into a big battle with a very well-known figure in New York in government and politics at the time, and really known throughout the Nation as the Power Broker, Robert Moses.

They wanted to build a bridge across the Long Island Sound from Connecticut to Oyster Bay, and Congressman Wolff, who was a freshman Congressman at the time, recognized the importance of preserving this important natural resource and created the Oyster Bay National Wildlife Refuge. It is one of the most important areas for natural refuge anywhere on the north shore of Long Island today and home to many types of waterfowl, such as black ducks; greater scaups; bufflehead, canvasback, and long-tail ducks; as well as great herons; and, now, osprey and red-tailed hawks.

This was a major battle when the environmental movement was very nascent at the time in the United States of America, and it took tremendous courage on the part of Congressman Wolff to stand up to Robert Moses at the time and the Governor of New York State, then-Governor Nelson Rockefeller, to preserve this important piece of property, as well as to block the bridge that would have gone across the Long Island Sound, an 8.5-mile bridge across the Long Island Sound from Connecticut to Long Island.

So this is a great, fitting tribute for a wonderful man who we hope will be

able to enjoy his 100th birthday celebrating the naming of the Congressman Lester Wolff National Wildlife Refuge.

Mr. LAMBORN. Mr. Speaker, we are prepared to close.

Ms. HANABUSA. Mr. Speaker, I yield myself the balance of my time.

I would like to commend Representative SUOZZI for this bipartisan initiative to honor the legacy of Congressman Lester Wolff, who had the foresight to protect Oyster Bay from unnecessary development. Thanks to his hard work and vision, the refuge remains an important stopover for wintering waterfowl and a popular destination for outdoor recreation. This bill is a fitting tribute that deserves our support.

Mr. Speaker, I ask my colleagues to vote “yes,” and I yield back the balance of my time.

Mr. LAMBORN. 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 Colorado (Mr. LAMBORN) that the House suspend the rules and pass the bill, H.R. 6064.

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. LAMBORN. 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.

ESTABLISHING A PROCEDURE FOR THE CONVEYANCE OF CERTAIN FEDERAL PROPERTY AROUND THE DICKINSON RESERVOIR

Mr. LAMBORN. Mr. Speaker, I move to suspend the rules and pass the bill (S. 440) to establish a procedure for the conveyance of certain Federal property around the Dickinson Reservoir in the State of North Dakota, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 440

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

SECTION 1. DEFINITIONS.

In this Act:

(1) DEPARTMENT.—The term “Department” means Dickinson Parks & Recreation in Dickinson, North Dakota.

(2) DICKINSON RESERVOIR.—The term “Dickinson Reservoir” means the Dickinson Reservoir constructed as part of the Dickinson Unit, Heart Division, Pick-Sloan Missouri Basin Program, as authorized by section 9 of the Act of December 22, 1944 (commonly known as the “Flood Control Act of 1944”) (58 Stat. 891, chapter 665).

(3) GAME AND FISH HEADQUARTERS.—The term “game and fish headquarters” means the approximately 10 acres of land depicted as “Game and Fish Headquarters” on the Map.

(4) MANAGEMENT AGREEMENT.—The term “Management Agreement” means the management agreement entitled “Management Agreement between the Bureau of Reclamation, et al., for the Development, Management, Operation, and Maintenance of Lands

and Recreation Facilities at Dickinson Reservoir", MA No. 07AG602222, Modification No. 1 and dated March 15, 2017.

(5) MAP.—The term "Map" means the map prepared by the Bureau of Reclamation, entitled "Dickinson Reservoir", and dated May 2018.

(6) PERMITTED CABIN LAND.—The term "permitted cabin land" means the land depicted as "Permitted Cabin Land" on the Map.

(7) PROPERTY.—The term "property" means any cabin site located on permitted cabin land for which a permit is in effect on the date of enactment of this Act.

(8) RECREATION LAND.—The term "recreation land" means the land depicted as "Recreation and Public Purpose Lands" on the Map.

(9) SECRETARY.—The term "Secretary" means the Secretary of the Interior, acting through the Commissioner of Reclamation.

(10) STATE.—The term "State" means the State of North Dakota, acting through the North Dakota Game and Fish Department.

SEC. 2. CONVEYANCES TO DICKINSON DEPARTMENT OF PARKS AND RECREATION.

(a) CONVEYANCES TO DICKINSON DEPARTMENT OF PARKS AND RECREATION.—

(1) IN GENERAL.—Subject to the management requirements of paragraph (3) and the easements and reservations under section 4, not later than 5 years after the date of enactment of this Act, the Secretary shall convey to the Department all right, title, and interest of the United States in and to—

- (A) the recreation land; and
- (B) the permitted cabin land.

(2) COSTS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary shall convey the land described in paragraph (1) at no cost.

(B) TITLE TRANSFER; LAND SURVEYS.—As a condition of the conveyances under paragraph (1), the Department shall agree to pay all survey and other administrative costs necessary for the preparation and completion of any patents for, and transfers of title to, the land described in paragraph (1).

(3) MANAGEMENT.—

(A) RECREATION LAND.—The Department shall manage the recreation land conveyed under paragraph (1)—

- (i) for recreation and public purposes consistent with the Act of June 14, 1926 (commonly known as the "Recreation and Public Purposes Act") (44 Stat. 741, chapter 578; 43 U.S.C. 869 et seq.);
- (ii) for public access;
- (iii) for fish and wildlife habitat; or
- (iv) to preserve the natural character of the recreation land.

(B) PERMITTED CABIN LAND.—The Department shall manage the permitted cabin land conveyed under paragraph (1)—

- (i) for cabins or recreational residences in existence as of the date of enactment of this Act; or
- (ii) for any of the recreation land management purposes described in subparagraph (A).

(4) HAYING AND GRAZING.—With respect to recreation land conveyed under paragraph (1) that is used for haying or grazing authorized by the Management Agreement as of the date of enactment of this Act, the Department may continue to permit haying and grazing in a manner that is permissible under the 1 or more haying or grazing contracts in effect as of the date of enactment of this Act.

(b) REVERSION.—If a parcel of land conveyed under subparagraph (A) or (B) of subsection (a)(1) is used in a manner that is inconsistent with the requirements described in subparagraph (A) or (B), respectively, of subsection (a)(3), the parcel of land shall, at

the discretion of the Secretary, revert to the United States.

(c) SALE OF PERMITTED CABIN LAND BY DEPARTMENT.—

(1) IN GENERAL.—If the Department sells any parcel of permitted cabin land conveyed under subsection (a)(1)(B), the parcel shall be sold at fair market value, as determined by a third-party appraiser in accordance with the Uniform Standards of Professional Appraisal Practice, subject to paragraph (2).

(2) IMPROVEMENTS.—For purposes of an appraisal conducted under paragraph (1), any improvements on the permitted cabin land made by the permit holder shall not be included in the appraised value of the land.

(3) PROCEEDS FROM THE SALE OF LAND BY THE DEPARTMENT.—If the Department sells a parcel of permitted cabin land conveyed under subsection (a)(1)(B), the Department shall pay to the Secretary the amount of any proceeds of the sale that exceed the costs of preparing the sale by the Department.

(d) AVAILABILITY OF FUNDS TO THE SECRETARY.—Any amounts paid to the Secretary for land conveyed by the Secretary under this Act shall be made available to the Secretary, subject to the availability of appropriations made in advance, for activities relating to the operation of the Dickinson Dam and Reservoir.

SEC. 3. CONVEYANCE OF GAME AND FISH HEADQUARTERS TO THE STATE.

(a) CONVEYANCE OF GAME AND FISH HEADQUARTERS.—Not later than 5 years after the date of enactment of this Act, the Secretary shall convey to the State all right, title, and interest of the United States in and to the game and fish headquarters, on the condition that the game and fish headquarters continue to be used as a game and fish headquarters or substantially similar purposes.

(b) REVERSION.—If land conveyed under subsection (a) is used in a manner that is inconsistent with the requirements described in that subsection, the land shall, at the discretion of the Secretary, revert to the United States.

SEC. 4. RESERVATIONS, EASEMENTS, AND OTHER OUTSTANDING RIGHTS.

(a) IN GENERAL.—Each conveyance to the Department or the State pursuant to this Act shall be made subject to—

- (1) valid existing rights;
- (2) operational requirements of the Pick-Sloan Missouri River Basin Program, as authorized by section 9 of the Act of December 22, 1944 (commonly known as the "Flood Control Act of 1944") (58 Stat. 891, chapter 665), including the Dickinson Reservoir;
- (3) any flowage easement reserved by the United States to allow full operation of Dickinson Reservoir for authorized purposes;
- (4) reservations described in the Management Agreement;
- (5) oil, gas, and other mineral rights reserved of record, as of the date of enactment of this Act, by, or in favor of, the United States or a third party;
- (6) any permit, license, lease, right-of-use, flowage easement, or right-of-way of record in, on, over, or across the applicable property or Federal land, whether owned by the United States or a third party, as of the date of enactment of this Act;
- (7) a deed restriction that prohibits building any new permanent structure on property below an elevation of 2,430.6 feet; and
- (8) the granting of applicable easements for—

- (A) vehicular access to the property; and
- (B) access to, and use of, all docks, boat-houses, ramps, retaining walls, and other improvements for which access is provided in the permit for use of the property as of the date of enactment of this Act.

(b) LIABILITY; TAKING.—

(1) LIABILITY.—The United States shall not be liable for flood damage to a property subject to a permit, the Department, or the State, or for damages arising out of any act, omission, or occurrence relating to a permit holder, the Department, or the State, other than for damages caused by an act or omission of the United States or an employee, agent, or contractor of the United States before the date of enactment of this Act.

(2) TAKING.—Any temporary flooding or flood damage to the property of a permit holder, the Department, or the State, shall not be considered to be a taking by the United States.

SEC. 5. INTERIM REQUIREMENTS.

During the period beginning on the date of enactment of this Act and ending on the date of conveyance of a property or parcel of land under this Act, the provisions of the Management Agreement that are applicable to the property or land, or to leases between the State and the Secretary, and any applicable permits, shall remain in force and effect.

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

The Chair recognizes the gentleman from Colorado.

GENERAL LEAVE

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

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

There was no objection.

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

I rise in support of S. 440, sponsored by Senator HOEVEN of North Dakota. This legislation is nearly identical to legislation sponsored by our colleague who will soon be departing us, Congressman KEVIN CRAMER, which was favorably reported by the Natural Resources Committee in August.

This legislation would transfer small parcels of Federal land immediately surrounding Dickinson Reservoir in North Dakota. This will allow members of the local community to purchase the land under their own homes, providing them with financial security and the community with increased tax revenue that will be reinvested toward the upkeep of the reservoir.

Other land will remain in use for recreation, public access, fish and wildlife habitat, a fish and game headquarters, or preserved in its natural character. If the land is not used for these purposes, it will revert to the Federal Government.

Federal ownership of the land has led to financial uncertainty for private citizens and the State, and I applaud the dedication of former Natural Resources Committee member and future Senator CRAMER and Senator HOEVEN to alleviating these bureaucratic challenges and supporting their constituents.

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. 440 authorizes the conveyance of certain public lands owned by the Bureau of Reclamation around the Dickinson Reservoir in North Dakota. I am glad to say that this bill ensures that taxpayers receive appropriate compensation for transferred public lands. The legislation also ensures that transferred recreation lands continue to be available to the public for recreational uses.

Congress has a long tradition of approving public land conveyances so long as they promote public purposes and provide appropriate compensation to the American taxpayers. S. 440 meets these requirements.

Mr. Speaker, I support the passage of this bill, and I yield back the balance of my time.

Mr. LAMBORN. Mr. Speaker, I yield such time as he may consume to the gentleman from North Dakota (Mr. CRAMER), who will speak on this and the following bill, because they are very similar.

Mr. CRAMER. Mr. Speaker, I want to thank Chairman LAMBORN, Chairman BISHOP, and the ranking member for their cooperation and for helping me move this important legislation that was sponsored, as Chairman LAMBORN said, by Senator HOEVEN, and for working on my companion bills that were introduced in the House earlier this year. I appreciate the hearings that the Natural Resources Committee held and for favorably reporting the bills out of the committee.

These two bills to convey BOR property to local park entities are very important to many of my constituents. In July, two of those constituents, Tom Fisher and Craig Headland, came to Washington to testify in support of these bills. Combined, they represented over 100 families with homes on these reclamation properties who wished to cast aside the uncertainties of residing on Federal land and carry out their dreams of home ownership by purchasing the lands they maintain.

Certainty, not only for them, of course, but for financial lenders, will generate greater investment in these properties to improve the lifestyle and the local economy, while maintaining the integrity of the use of the reservoirs.

The land, beyond those residents, which makes up the vast majority of the acreage, will continue to be open to the public for recreation and other uses to the benefit of our people. As a firm believer in land use decisionmaking authority being as local as possible, I believe these bills will allow for better management and improved opportunities for the citizens of North Dakota and for our visitors.

Lastly, I want to thank the administration for working on these bills with Senator HOEVEN and me. I am grateful that the administration is willing to work on issues such as these that have carried on for years, and sometimes decades, with indecision and delay.

So I urge support by my colleagues and, again, thank the chairman, the ranking member, and the committee for their good work.

□ 1630

Mr. LAMBORN. 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 Colorado (Mr. LAMBORN) that the House suspend the rules and pass the bill, S. 440, 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.

ESTABLISHING A PROCEDURE FOR THE CONVEYANCE OF CERTAIN FEDERAL PROPERTY AROUND THE JAMESTOWN RESERVOIR IN THE STATE OF NORTH DAKOTA

Mr. LAMBORN. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2074) to establish a procedure for the conveyance of certain Federal property around the Jamestown Reservoir in the State of North Dakota, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 2074

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

SECTION 1. DEFINITIONS.

In this Act:

(1) BOARD.—The term “Board” means the Stutsman County Park Board in Jamestown, North Dakota.

(2) GAME AND FISH HEADQUARTERS.—The term “game and fish headquarters” means the land depicted as “Game and Fish Headquarters” on the Map.

(3) JAMESTOWN RESERVOIR.—The term “Jamestown Reservoir” means the Jamestown Reservoir constructed as a unit of the Missouri-Souris Division, Pick-Sloan Missouri Basin Program, as authorized by section 9 of the Act of December 22, 1944 (commonly known as the “Flood Control Act of 1944”) (58 Stat. 891, chapter 665).

(4) MANAGEMENT AGREEMENT.—The term “Management Agreement” means the management agreement entitled “Management Agreement between the United States of America and Stutsman County Park Board for the Management, Development, Operation and Maintenance of Recreation and Related Improvements and Facilities at Jamestown Reservoir Stutsman County, North Dakota”, numbered 15-LM-60-2255, and dated February 17, 2015.

(5) MAP.—The term “Map” means the map prepared by the Bureau of Reclamation, entitled “Jamestown Reservoir”, and dated May 2018.

(6) PERMITTED CABIN LAND.—The term “permitted cabin land” means the land depicted as “Permitted Cabin Lands” on the Map.

(7) PROPERTY.—The term “property” means any cabin site located on permitted cabin land for which a permit is in effect on the date of enactment of this Act.

(8) RECREATION LAND.—The term “recreation land” means the land depicted as “Recreation and Public Purpose Lands” on the Map.

(9) SECRETARY.—The term “Secretary” means the Secretary of the Interior, acting through the Commissioner of Reclamation.

(10) STATE.—The term “State” means the State of North Dakota, acting through the North Dakota Game and Fish Department.

SEC. 2. CONVEYANCES TO STUTSMAN COUNTY PARK BOARD.

(a) CONVEYANCES TO STUTSMAN COUNTY PARK BOARD.—

(1) IN GENERAL.—Subject to the management requirements of paragraph (3) and the easements and reservations under section 4, not later than 5 years after the date of enactment of this Act, the Secretary shall convey to the Board all right, title, and interest of the United States in and to—

(A) the recreation land; and

(B) the permitted cabin land.

(2) COSTS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary shall convey the land described in paragraph (1) at no cost.

(B) TITLE TRANSFER; LAND SURVEYS.—As a condition of the conveyances under paragraph (1), the Board shall agree to pay all survey and other administrative costs necessary for the preparation and completion of any patents for, and transfers of title to, the land described in paragraph (1).

(3) MANAGEMENT.—

(A) RECREATION LAND.—The Board shall manage the recreation land conveyed under paragraph (1)—

(i) for recreation and public purposes consistent with the Act of June 14, 1926 (commonly known as the “Recreation and Public Purposes Act”) (44 Stat. 741, chapter 578; 43 U.S.C. 869 et seq.);

(ii) for public access;

(iii) for fish and wildlife habitat; or

(iv) to preserve the natural character of the recreation land.

(B) PERMITTED CABIN LAND.—The Board shall manage the permitted cabin land conveyed under paragraph (1)—

(i) for cabins or recreational residences in existence as of the date of enactment of this Act; or

(ii) for any of the recreation land management purposes described in subparagraph (A).

(4) HAYING AND GRAZING.—With respect to recreation land conveyed under paragraph (1) that is used for haying or grazing authorized by the Management Agreement as of the date of enactment of this Act, the Board may continue to permit haying and grazing in a manner that is permissible under the 1 or more haying or grazing contracts in effect as of the date of enactment of this Act.

(b) REVERSION.—If a parcel of land conveyed under subparagraph (A) or (B) of subsection (a)(1) is used in a manner that is inconsistent with the requirements described in subparagraph (A) or (B), respectively, of subsection (a)(3), the parcel of land shall, at the discretion of the Secretary, revert to the United States.

(c) SALE OF PERMITTED CABIN LAND BY BOARD.—

(1) IN GENERAL.—If the Board sells any parcel of permitted cabin land conveyed under subsection (a)(1)(B), the parcel shall be sold at fair market value, as determined by a third-party appraiser in accordance with the Uniform Standards of Professional Appraisal Practice, subject to paragraph (2).

(2) IMPROVEMENTS.—For purposes of an appraisal conducted under paragraph (1), any improvements on the permitted cabin land made by a permit holder shall not be included in the appraised value of the land.

(3) PROCEEDS FROM THE SALE OF LAND BY THE BOARD.—If the Board sells a parcel of permitted cabin land conveyed under subsection (a)(1)(B), the Board shall pay to the