

as wilderness and shall be known as the Rattlesnake Wilderness.

(b) Administration

Subject to valid existing rights, the Rattlesnake Wilderness as designated by this subchapter shall be administered by the Secretary of Agriculture, hereafter referred to as the Secretary, in accordance with the provisions of the Wilderness Act [16 U.S.C. 1131 et seq.] governing areas designated by that Act as wilderness: *Provided*, That any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this subchapter.

(Pub. L. 96-476, §2, Oct. 19, 1980, 94 Stat. 2271.)

Editorial Notes

REFERENCES IN TEXT

The Wilderness Act, referred to in text, is Pub. L. 88-577, Sept. 3, 1964, 78 Stat. 890, which is classified generally to chapter 23 (§1131 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1131 of this title and Tables.

The effective date of the Wilderness Act, referred to in subsec. (b), means Sept. 3, 1964, the date of enactment of Pub. L. 88-577, which enacted chapter 23 of this title.

The effective date of this subchapter, referred to in subsec. (b), means Oct. 19, 1980, the date of enactment of Pub. L. 96-476, which enacted this subchapter.

§ 46011-2. Rattlesnake National Recreation Area

An area of land as generally depicted as the "Rattlesnake National Recreation Area" on a map entitled "Rattlesnake National Recreation area and Wilderness—Proposed", and dated October 1, 1980, is hereby established as the Rattlesnake National Recreation Area.

(Pub. L. 96-476, §3, Oct. 19, 1980, 94 Stat. 2272.)

§ 46011-3. Land acquisition and exchange

(a) Authority of Secretary of Agriculture

Within the boundaries of the Rattlesnake National Recreation Area and Rattlesnake Wilderness, the Secretary is authorized and directed to acquire with donated or appropriated funds including amounts appropriated from the Land and Water Conservation Fund, by exchange, gift, or purchase, such non-Federal lands, interests, or any other property, in conformance with the provisions of this section. Nothing in this subchapter shall be construed to limit or diminish the existing authority of the Secretary to acquire lands and interests therein within or contiguous to the Rattlesnake National Recreation Area or Rattlesnake Wilderness.

(b) Exchange of lands for bidding rights on coal lease sales or coal lease modifications; bidding rights as monetary credit; transfer or sale

(1) The Secretary of the Interior, in consultation with the Secretary of Agriculture, is authorized to consider and consummate an exchange with the owner of the private lands or interests therein within or contiguous to the boundaries of the Rattlesnake National Recreation Area and Rattlesnake Wilderness, as de-

scribed in sections 46011-1 and 46011-2 of this title, by which the Secretary of the Interior may accept conveyance of title to these private lands for the United States and in exchange issue bidding rights that may be exercised in competitive coal lease sales, or in coal lease modifications, or both, under sections 2 and 3 of the Mineral Lands Leasing Act of 1920, as amended (30 U.S.C. 201(a), 203). Any lands so acquired shall become national forest lands under the jurisdiction of the Secretary of Agriculture to be managed in accordance with the provisions of this subchapter and other laws applicable to the management of national forest lands. Nothing in this subchapter shall be construed to limit or diminish any existing authority of the Secretaries of the Interior and Agriculture to acquire private lands and interests therein in the Rattlesnake National Recreation Area and Rattlesnake Wilderness. Nothing in this subchapter shall be construed to require any owner of the lands within or contiguous to the Rattlesnake National Recreation Area or Rattlesnake Wilderness to accept coal lease bidding rights in exchange for title to those private lands.

(2) The coal lease bidding rights to be issued may be exercised as payment of bonus or other payment required of the successful bidder for a competitive coal lease, or required of an applicant for a coal lease modification. The bidding rights shall equal the fair market value of the private lands or interests therein conveyed in exchange for their issuance. The use and exercise of the bidding rights shall be subject to the provisions of the Secretary of the Interior's regulations governing coal lease bidding rights, to the extent that they are not inconsistent with this subchapter, that are in effect at the time the bidding rights are issued.

(3) If for any reason, including but not limited to the failure of the Secretary of the Interior to offer for lease lands in the Montana portion of the Powder River Coal Production Region as defined in the Federal Register of November 9, 1979 (44 F.R. 65196), or the failure of the holder of the bidding rights to submit a successful high bid for any such leases, any bidding rights issued in an exchange under this subchapter have not been exercised within two years from October 31, 1983, the bidding rights may be used as a monetary credit, which shall be considered "money" within the meaning of section 35 of the Mineral Lands Leasing Act of 1920 (30 U.S.C. 191), against that portion of bonus payments, rental or royalty payments paid into the Treasury of the United States and retained by the Federal Government on any Federal coal lease won or otherwise held by the applicant, its successors or assigns. The holder of the bidding rights shall pay the balance due on such bonus payments, rental or royalty payments in cash for transmittal to the States in the same manner and in the same amounts as though the entire payment were made in cash under the provisions of the Mineral Leasing Act of 1920 as amended [30 U.S.C. 181 et seq.]. The bidding rights may be transferred or sold at any time by the owner to any other party with all the rights of the owner to the credit, and after such transfer, the owner shall notify the Secretary.

(4) It is the intent of Congress that the exchange of bidding rights for the private lands or