H.R. 39 and support this important and successful program.

Mr. YOUNG of Alaska. Mr. Speaker, as the sponsor of H.R. 39, I rise in strong support of this important conservation legislation to reauthorize the African Elephant Conservation Fund. I am pleased that I have been joined in this effort by Speaker NEWT GINGRICH and our colleague from California, DUKE CUNNINGHAM.

For the past 9 years, this fund has been the only continuous source of new money for elephant conservation efforts. While the act authorizes up to $5 million per year, in reality the Congress has annually appropriated less than $900,000 to save and conserve this flagship species of the African Continent.

This money has been used to finance some 50 conservation projects in 17 range states throughout Africa. These projects have been sponsored by a diverse group of conservation organizations including the African Wildlife Foundation, Safari Club International, Southern Africa Wildlife Trust, and the World Wildlife Fund. These funds have been used to purchase antipoaching equipment for wildlife rangers, to establish a database on elephants, to develop effective conservation plans, to undertake various elephant population surveys, and to move elephants from certain drought regions.

While the world community has been successful in halting the widespread slaughter of this magnificent animal, the fight to save the African elephant is far from over. It is essential that we extend the Secretary of the Interior's authority to allocate money for the African elephant beyond its statutory deadline, and that is the goal of H.R. 39. In fact, my bill would reauthorize the African Elephant Conservation Fund until September 30, 2002.

Last month, the subcommittee conducted a hearing on H.R. 39. Testimony was obtained from witnesses representing the administration, the Humane Society of the United States, Safari Club International, and the World Wildlife Fund. There was unanimous support for this bill, and the administration's representative accurately stated that ''this is not a hand out, but a helping hand.''

This is a sound piece of legislation, and this small investment will help to ensure that our largest land mammal, the African elephant, does not disappear from this planet. It will also allow the U.S. Fish and Wildlife Service to fund a number of additional elephant conservation projects in the future.

I urge an ''aye'' vote on this important conservation measure.

Mr. MILLER of California. Mr. Speaker, I support H.R. 39 which continues funding for the African Elephant Conservation Act through the year 2002. Enacted in October 1988 in response to the alarming decline of African elephants, the act has made a significant contribution to the preservation of this threatened species. This legislation will allow these efforts to continue.

The African Elephant Conservation Act has funded effective programs throughout 17 different African countries. Efficiently using small, strategically important grants, the act: enhances elephant conservation management programs; supports antipoaching training and operations; and develops sound scientific data on elephant populations. The act promotes range-wide efforts, as well as cooperative projects that provide for matching funds from a variety of other sources. All of these programs work toward the act's purpose of perpetuating healthy populations of African elephants.

Despite the achievements seen so far, I am concerned about the coordination and management of U.S. funded elephant conservation efforts. Programs that impact African elephant populations are funded by both this act and the United States Agency for International Development, and it is not clear whether these efforts are mutually supportive. They should be. Furthermore, it is essential that innovative programs and management decisions are well grounded in science and sound management practices, and are effective in increasing elephant populations. We must ensure that all United States funded programs work toward the same ends—the conservation of African elephants.

I appreciate the importance the Speaker, Mr. YOUNG, and Mr. SAXTON place on conserving African elephants, and I commend them for moving expeditiously to reauthorize the African Elephant Conservation Act. Their support of this legislation reflects the strong desire by the American public to preserve African elephants. By passing this legislation, and by continuing to monitor all U.S. efforts supporting elephant conservation, we can fulfill this desire.

Mr. SAXTON. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. ABERCROMBIE. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. KOLBE). The question is on the motion offered by the gentleman from New Jersey [Mr. SAXTON] that the House suspend the rules and pass the bill, H.R. 39.

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

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. SAXTON. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks on H.R. 39, the bill just passed.

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

There was no objection.

SOUTHERN NEVADA PUBLIC LAND MANAGEMENT ACT OF 1997

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 449) to provide for the orderly disposal of certain Federal lands in Clark County, NV, and to provide for the acquisition of environmentally sensitive lands in the State of Nevada, as amended.

The Clerk read as follows:

H.R. 449

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 ''Southern Nevada Public Land Management Act of 1997''.

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress finds the following:

(1) The Bureau of Land Management has extensive land ownership in small and large parcels interspersed with or adjacent to private land in the Las Vegas Valley, Nevada, making many of these parcels difficult to manage and more appropriate for disposal.

(2) In order to promote responsible and orderly development in the Las Vegas Valley, certain of those Federal lands should be sold by the Federal Government based on recommendations made by local government and the public.

(3) The Las Vegas metropolitan area is the fastest growing urban area in the United States, which is causing significant impacts upon the Lake Mead National Recreation Area, the Red Rock Canyon National Conservation Area, and the Spring Mountains National Recreation Area, which surround the Las Vegas Valley.

(b) PURPOSE.—The purpose of this Act is to provide for the orderly disposal of certain Federal lands in Clark County, Nevada, and to provide for the acquisition of environmentally sensitive lands in the State of Nevada.

SEC. 3. DEFINITIONS.

As used in this Act:

(1) The term ''Secretary'' means the Secretary of the Interior.

(2) The term ''unit of local government'' means Clark County, the City of Las Vegas, the City of North Las Vegas, or the City of Henderson; all in the State of Nevada.

(3) The term ''Agreement'' means the agreement entitled ''The Interim Cooperative Management Agreement Between The United States Department of the Interior—Bureau of Land Management and Clark County'', dated November 4, 1992.

(4) The term ''special account'' means the account in the Treasury of the United States established under section 4(e)(1)(C).

(5) The term ''Recreation and Public Purposes Act'' means the Act entitled ''An Act to authorize acquisition or use of public lands by States, counties, or municipalities for recreational purposes'', approved June 14, 1926 (43 U.S.C. 869 et seq.).

(6) The term ''regional governmental entity'' means the Southern Nevada Water Authority, the Regional Flood Control District, and the Clark County Sanitation District.

SEC. 4. DISPOSAL AND EXCHANGE.

(a) DISPOSAL.—Notwithstanding the land use planning requirements contained in sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1711 and 1712), the Secretary, in accordance with this Act, the Federal Land Policy and Management Act of 1976, and other applicable law, and subject to valid existing rights, is authorized to dispose of lands within the boundary of the area under the jurisdiction of the Direction of the Bureau of Land Management in Clark County, Nevada, as generally depicted on the map entitled ''Las Vegas Valley, Nevada, Land Disposal Map'', dated April 10, 1997. Such map shall be on file and available for public inspection in the offices of the Director and the Las Vegas District of the Bureau of Land Management.

(b) RESERVATION FOR LOCAL PUBLIC PURPOSES.—

(1) RECREATION AND PUBLIC PURPOSE ACT CONVEYANCES.—Not less than 30 days before the offering of lands for sale or exchange pursuant to subsection (a), the State of Nevada or the unit of local government in whose jurisdiction the lands are located may

elect to obtain any such lands for local public purposes pursuant to the provisions of the Recreation and Public Purposes Act. Pursuant to any such election, the Secretary shall retain the elected lands for conveyance to the State of Nevada or such unit of the local government in accordance with the provisions of the Recreation and Public Purposes Act.

(2) RIGHTS-OF-WAY.—

(A) ISSUANCE.—Upon application, by a unit of local government or regional governmental entity, the Secretary, in accordance with this Act and the Federal Land Policy and Management Act of 1976, and other applicable provisions of law, shall issue right-of-way grants on Federal lands in Clark County, Nevada, for all reservoirs, canals, channels, ditches, pipes, pipelines, tunnels and other facilities and systems needed for—

(i) the impoundment, storage, treatment, transportation or distribution of water (other than water from the Virgin River) or wastewater; or

(ii) flood control management.

(B) DURATION.—Right-of-way grants issued under this paragraph shall be valid in perpetuity.

(C) WAIVER OF FEES.—Right-of-way grants issued under this paragraph shall not require the payment of rental or cost recovery fees.

(3) YOUTH ACTIVITY FACILITIES.—Within 30 days after a request by Clark County, Nevada, the Secretary shall offer to Clark County, Nevada, the land depicted on the map entitled ''Vicinity Map Parcel 177–28–101–020 dated August 14, 1996, in accordance with the Recreation and Public Purposes Act for the construction of youth activity facilities.

(c) WITHDRAWAL.—Subject to valid existing rights, all Federal lands identified in subsection (a) for disposal are withdrawn from location and entry, under the mining laws and from operation under the mineral leasing and geothermal leasing laws until such time as the Secretary terminates the withdrawal or the lands are patented.

(d) SELECTION.—

(1) JOINT SELECTION REQUIRED.—The Secretary and the unit of local government in whose jurisdiction lands referred to in subsection (a) are located shall jointly select lands to be offered for sale or exchange under this section. The Secretary shall coordinate land disposal activities with the unit of local government in whose jurisdiction such lands are located. Land disposal activities of the Secretary shall be consistent with local land use planning and zoning requirements and recommendations.

(2) OFFERING.—After land has been selected in accordance with this subsection, the Secretary shall make the first offering of land as soon as practicable after the date of enactment of this Act.

(e) DISPOSITION OF PROCEEDS.—

(1) LAND SALES.—Of the gross proceeds of sales of land under this subsection in a fiscal year—

(A) 5 percent shall be paid directly to the State of Nevada for use in the general education program of the State;

(B) 10 percent shall be paid directly to the Southern Nevada Water Authority for water treatment and transmission facility infrastructure in Clark County, Nevada; and

(C) the remainder shall be deposited in a special account in the Treasury of the United States for use pursuant to the provisions of paragraph (3).

Amounts in the special account shall be available to the Secretary without further appropriation and shall remain available until expended.

(2) LAND EXCHANGES.—

(A) PAYMENTS.—In the case of a land exchange under this section, the non-Federal party shall provide direct payments to the State of Nevada and the Southern Nevada Water Authority in accordance with paragraphs (1) (A) and (B). The payments shall be based on the fair market value of the Federal lands to be conveyed in the exchange and shall be considered a cost incurred by the non-Federal party that shall be compensated by the Secretary if so provided by any agreement to initiate exchange.

(B) PENDING EXCHANGES.—The provisions of this Act, except this subsection and subsections (a) and (b), shall not apply to any land exchange for which an initial agreement to initiate an exchange was signed by an authorized representative of the exchange proponent and an authorized officer of the Bureau of Land Management prior to February 29, 1996.

(3) AVAILABILITY OF SPECIAL ACCOUNT.—

(A) IN GENERAL.—Amounts deposited in the special account may be expended by the Secretary for—

(i) the acquisition of environmentally sensitive land in the State of Nevada in accordance with subsection (h), with priority given to lands located within Clark County;

(ii) capital improvements at the Lake Mead National Recreation Area, the Desert National Wildlife Refuge, the Red Rock Canyon National Conservation Area and other areas administered by the Bureau of Land Management in Clark County, and the Spring Mountains National Recreation Area;

(iii) development of a multispecies habitat conservation plan in Clark County, Nevada;

(iv) development of parks, trails, and natural areas in Clark County, Nevada, pursuant to a cooperative agreement with a unit of local government; and

(v) reimbursement of costs incurred by the local offices of the Bureau of Land Management in arranging sales or exchanges under this Act.

(B) PROCEDURES.—The Secretary shall coordinate the use of the special account with the Secretary of Agriculture, the State of Nevada, local governments, and other interested persons, to ensure accountability and demonstrated results.

(C) LIMITATION.—Not more than 25 percent of the amounts available to the Secretary from the special account in any fiscal year (determined without taking into account amounts deposited under subsection (g)(4)) may be used in any fiscal year for the purposes described in subparagraph (A)(ii).

(f) INVESTMENT OF SPECIAL ACCOUNT.—All funds deposited as principal in the special account shall earn interest in the amount determined by the Secretary of the Treasury on the basis of the current average market yield on outstanding marketable obligations of the United States of comparable maturities. Such interest shall be added to the principal of the account and expended according to the provisions of subsection (e)(3).

(g) AIRPORT ENVIRONS OVERLAY DISTRICT LAND TRANSFER.—Upon request of Clark County, Nevada, the Secretary shall transfer to Clark County, Nevada, without consideration, all right, title, and interest of the United States in and to the lands identified in the Agreement, subject to the following:

(1) Valid existing rights.

(2) Clark County agrees to manage such lands in accordance with the Agreement and with section 47504 of title 49, United States Code (relating to airport noise compatibility planning), and regulations promulgated pursuant to that section.

(3) Clark County agrees that if any of such lands are sold, leased, or otherwise conveyed or leased by Clark County, such sale, lease, or other conveyance shall contain a limitation which requires uses compatible with the Agreement and such Airport Noise Compatibility Planning provisions.

(4) Clark County agrees that if any of such lands are sold, leased, or otherwise conveyed by Clark County, such lands shall be sold, leased, or otherwise conveyed for fair market value. Clark County shall contribute 85 percent of the gross proceeds from the sale, lease, or other conveyance of such lands directly to the special account. If any of such lands sold, leased, or otherwise conveyed by Clark County are identified on the map referenced in section 2(a) of the Act entitled ''An Act to provide for the orderly disposal of certain Federal lands in Nevada and for the acquisition of certain other lands in the Lake Tahoe Basin, and for other purposes'', approved December 23, 1980 (94 Stat. 3381; commonly known as the ''Santini-Burton Act''), the proceeds contributed to the special account by Clark County from the sale, lease, or other conveyance of such lands shall be used by the Secretary of Agriculture to acquire environmentally sensitive land in the Lake Tahoe Basin pursuant to section 3 of the Santini-Burton Act. Clark County shall contribute 5 percent of the gross proceeds from the sale, lease, or other conveyance of such lands directly to the State of Nevada for use in the general education program of the State, and the remainder shall be available for use by the Clark County Department of Aviation for the benefit of airport development and the Noise Compatibility Program.

SEC. 5. ACQUISITIONS.

(a) ACQUISITIONS.—

(1) DEFINITION.—For purposes of this subsection, the term ''environmentally sensitive land'' means land or an interest in land, the acquisition of which the United States would, in the judgment of the Secretary or the Secretary of Agriculture—

(A) promote the preservation of natural, scientific, aesthetic, historical, cultural, watershed, wildlife, and other values contributing to public enjoyment and biological diversity;

(B) enhance recreational opportunities and public access;

(C) provide the opportunity to achieve better management of public land through consolidation of Federal ownership; or

(D) otherwise serve the public interest.

(2) IN GENERAL.—After the consultation process has been completed in accordance with paragraph (3), the Secretary may acquire with the proceeds of the special account environmentally sensitive land and interests in environmentally sensitive land. Lands may not be acquired under this section without the consent of the owner thereof. Funds made available from the special account may be used with any other funds made available under any other provision of law.

(3) CONSULTATION.—Before initiating efforts to acquire land under this subsection, the Secretary or the Secretary of Agriculture shall consult with the State of Nevada and with local government within whose jurisdiction the lands are located, including appropriate planning and regulatory agencies, and with other interested persons, concerning the necessity of making the acquisition, the potential impacts on State and local government, and other appropriate aspects of the acquisition. Consultation under this paragraph is in addition to any other consultation required by law.

(b) ADMINISTRATION.—On acceptance of title by the United States, land and interests in land acquired under this subsection that is within the boundaries of a unit of the National Forest System, National Park System, National Wildlife Refuge System, National Wild and Scenic Rivers System, National Trails System, National Wilderness Preservation System, any other system established by Act of Congress, or any national

conservation or national recreation area established by Act of Congress—

(1) shall become part of the unit or area without further action by the Secretary or Secretary of Agriculture; and

(2) shall be managed in accordance with all laws and regulations and land use plans applicable to the unit or area.

(c) DETERMINATION OF FAIR MARKET VALUE.—The fair market value of land or an interest in land to be acquired by the Secretary or the Secretary of Agriculture under this subsection shall be determined pursuant to section 206 of the Federal Land Policy and Management Act of 1976 and shall be consistent with other applicable requirements and standards. Fair market value shall be determined without regard to the presence of a species listed as threatened or endangered under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

(d) PAYMENTS IN LIEU OF TAXES.—Section 6901(1) of title 31, United States Code, is amended as follows:

(1) By striking ''or'' at the end of subparagraph (F).

(2) By striking the period at the end of subparagraph (G) and inserting ''; or''.

(3) By adding at the end the following:

''(H) acquired by the Secretary of the Interior or the Secretary of Agriculture under section 5 of the Southern Nevada Public Land Management Act of 1997 that is not otherwise described in subparagraphs (A) through (G).''.

SEC. 6. REPORT.

The Secretary, in cooperation with the Secretary of Agriculture, shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives an annual report on all transactions under this section.

SEC. 7. RECREATION AND PUBLIC PURPOSES ACT.

(a) TRANSFER OF REVERSIONARY INTEREST.—

(1) IN GENERAL.—Upon request by a grantee of lands within Clark County, Nevada, that are subject to a lease or patent issued under the Recreation and Public Purposes Act, the Secretary may transfer the reversionary interest in such lands to other non-Federal lands. The transfer of the reversionary interest shall only be made to lands of equal value, except that with respect to the State of Nevada or a unit of local government an amount equal to the excess (if any) of the fair market value of lands received by the unit of local government over the fair market value of lands transferred by the unit of local government shall be paid to the Secretary and shall be treated under subsection (e)(1) of this section as proceeds from the sale of land. For purposes of this subsection, the fair market value of lands to be transferred by the State of Nevada or a unit of local government may be based upon a statement of value prepared by a qualified appraiser.

(2) TERMS AND CONDITIONS APPLICABLE TO LANDS ACQUIRED.—Land selected under this subsection by a grantee described in paragraph (1) shall be subject to the terms and conditions, uses, and acreage limitations of the lease or patent to which the lands transferred by the grantee were subject, including the reverter provisions, under the Recreation and Public Purposes Act.

(k) AFFORDABLE HOUSING.—The Secretary, in consultation with the Secretary of Housing and Urban Development, may make available, in accordance with section 203 of the Federal Land Planning and Management Act of 1976, land in the State of Nevada at less than fair market value and under other such terms and conditions as he may determine for affordable housing purposes. Such lands shall be made available only to State or local governmental entities, including local public housing authorities. For the purposes of this subsection, housing shall be considered to be affordable housing if the housing serves low income families as defined under the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12701 et. seq.).

SEC. 8. BOUNDARY MODIFICATION OF RED ROCK CANYON NATIONAL CONSERVATION AREA.

Section 3(a)(2) of the Red Rock Canyon National Conservation Area Establishment Act of 1990 (16 U.S.C. 460ccc–1(a)(2)) is amended to read as follows:

''(2) The conservation area shall consist of approximately 195,780 acres as generally depicted on the map entitled 'Red Rock Canyon National Conservation Area Administrative Boundary Modification', dated August 8, 1996.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah [Mr. HANSEN] and the gentleman from Hawaii [Mr. ABERCROMBIE] each will control 20 minutes.

The Chair recognizes the gentleman from Utah [Mr. HANSEN].

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

Mr. Speaker, H.R. 449, introduced by the gentleman from Nevada [Mr. ENSIGN], will solve the many problems currently facing the Bureau of Land Management in the Las Vegas area. Las Vegas is the fastest growing area in the Nation and is expected to continue on this trend for years to come. As with many Western States, Las Vegas is landlocked by the vast Federal ownership in Nevada and, as the area grows, demands for Federal lands increase.

During the 104th Congress, the Subcommittee on National Parks, Forests and Lands requested the Interior Inspector General to audit the Federal land exchange process in Nevada. The Inspector General found that the BLM had lost millions of dollars of taxpayer money because the system is flawed, easily manipulated and subject to political pressures. The Ensign bill will implement an open process wherein the public will have more input and lands will be sold for fair market value.

The revenues received from these sales will be used to purchase environmentally sensitive lands within the State of Nevada. Fifteen percent of the revenues will be shared with the local government to help pay for the incredible demands for infrastructure and water.

H.R. 449 is the culmination of many hours of Mr. ENSIGN's public lands task force which involved representatives from all sides of this debate. Environmentalists, developers, planners, local and Federal Government came together to agree on this legislation. Moreover, Mr. ENSIGN has worked hard to accommodate administration and minority concerns. This is a balanced and equitable approach to a very difficult issue, and I commend Mr. ENSIGN and the gentleman from Nevada, Mr. GIBBONS, for their efforts. I urge my colleagues to support H.R. 449 and pass it as amended.

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

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

(Mr. ABERCROMBIE asked and was given permission to revise and extend his remarks.)

Mr. ABERCROMBIE. Mr. Speaker, I think that my good friend, the gentleman from Utah [Mr. HANSEN], has made an excellent summation of the bill to this point.

The language of bill, H.R. 449, has undergone a number of refinements, as indicated, since it was first considered in the last Congress. Originally there were a number of very serious concerns with the bill. Tremendous progress on the measure has been made over the past year. Senators BRYAN and REID and the gentleman from Nevada, Mr. ENSIGN, have worked with the Bureau of Land Management and other interested parties to address a number of issues of concern, and changes to the bill continue to be made up until the very recent time, as indicated again by my good friend.

An agreement is near on the total bill, but it has not been completed. The administration's statement of policy on H.R. 449 notes the remaining concerns, but with the understanding that further refinements to the bill are likely in the Senate, neither the administration nor this side of the aisle will oppose passage today of H.R. 449, as amended.

Mr. Speaker, I would like to commend Mr. ENSIGN.

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

Mr. HANSEN. Mr. Speaker, I yield such time as he may consume to the gentleman from Las Vegas, NV [Mr. ENSIGN], the sponsor of this bill.

(Mr. ENSIGN asked and was given permission to revise and extend his remarks.)

Mr. ENSIGN. Mr. Speaker, I rise in support of H.R. 449, the Southern Nevada Public Land Management Act of 1997. I would like to start by thanking the gentleman from Utah [Mr. HANSEN], the subcommittee chairman, for all his diligent work and also the staff, my staff, the committee staff and everybody who participated in this bill and, of course, the chairman of the House Committee on Resources, the gentleman from Alaska [Mr. YOUNG], for all of the work that has been done on this bill. This bill has been commonly referred to as the Ensign/Bryan bill because Senator BRYAN introduced companion legislation on the Senate side.

Mr. Speaker, this is good legislation, especially with this being Earth Week and our awareness of the environment is heightened. H.R. 449 is good for the environment, good for education, and good for quality of life in Nevada. I believe that this legislation will prove to be model legislation not only in policy but in process.

This process first started with my predecessor, Representative Jim Bilbray, who formed a public lands task force. Members of this task force were representatives from local governments, utility providers, developers, recreationalists, environmentalists, and Federal agencies such as the National Park Service, U.S. Forest Service and BLM. When I came to office, I continued the meetings of the task force, and with their help and input and with the assistance of Senator BRYAN we drafted what ultimately became the legislation before us today.

After numerous meetings and constant flow of information and ideas, we drafted what we believe to be excellent, compromise legislation where an extremely wide variety of interests have been served and are ultimately satisfied. In a political atmosphere that has seen so much controversy, it is refreshing to see true bipartisan legislation.

During the 104th Congress, the Subcommittee on National Parks, Forests and Lands held a field hearing in Las Vegas on similar legislation. We heard overwhelming testimony and startling statistics about what is occurring in Clark County. Our witnesses included Governor Miller, Clark County School Superintendent Dr. Brian Cram, representatives from the Clark County Commission and Southern Nevada Water Authority, and representatives from local environmental groups. The witnesses unanimously supported our legislation.

As some of my colleagues may know, the Las Vegas valley is the fastest growing metropolitan city in the country, and this single issue has been the central focus of our State legislature. No other issue, besides Yucca Mountain receives the attention that growth and development do. In addition, 87 percent of the State of Nevada is federally controlled, resulting in a patchwork pattern of private lands interspersed with public lands.

The blue on this map indicates the public lands that are located within the red boundary which this legislation establishes. The blue lands are the public lands within the Las Vegas valley to be disposed of within this legislation.

This dueling combination makes it very difficult for the Federal agencies to manage this land and puts enormous pressure on local elected officials, the school district, utility providers and, most importantly, the current residents who are forced to shoulder the price tag of this development.

Given the high quality of life and large percentage of federally owned land, the valley is a prime platform for development. Over the years, the land exchange process has been used to privatize the public land that is interspersed among the private land. Many aspects of this process have greatly benefited Nevada as well as the entire country. Nevada's economy and job market have experienced a boost. We have acquired environmentally sensitive lands throughout the State and relieved the Federal agencies of some burdensome management responsibilities.

Despite all the good that seems to stem from the land exchange process, it unfortunately cannot possibly accommodate the ever-changing market of the Las Vegas valley and give the fairest value of the land in a fast growing area like Las Vegas. Therefore, an open, fair market auction process will best serve the American people by ensuring the most revenue to purchase and improve our favorite environmental areas. Currently, it is nearly impossible for the BLM to guarantee fair market value for exchanged lands.

Furthermore, it is exceedingly expensive for our local utilities to transport services across Federal lands to private tracts, and everyone is in agreement that it makes sense to dispose of these lands.

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The general manager of the Southern Nevada water authority has repeatedly testified that it costs an estimated $14,000 per acre of land that is privatized through the exchange process.

It is very important to point out that the value of this Federal land is greatly inflated due to the infrastructure that the local taxpayers are providing. Land in the desert without roads or water is virtually worthless from a financial standpoint, and I see no reason why we should not be getting a little something back from the sale of these lands that our utility bills have made so valuable.

H.R. 449 authorizes the sale of these lands while providing that 85 percent of the generated revenue would go to the Federal Government for use in the State of Nevada to purchase environmentally sensitive lands and the remaining 15 percent would be used locally. Most importantly, the Ensign-Bryan bill provides the essential mechanisms to, one, allow this growth to occur in an orderly fashion by allowing local officials a seat at the table; two, ensure this growth occurs without neglecting the environment by funneling revenue for acquisition of environmentally sensitive lands and to our existing federal facilities, such as Lake Tahoe, Red Rock and Lake Mead. Nevada is home to some of the most beautiful and pristine areas in the country. Areas around Lake Tahoe and Spring Mountains are unparalleled in their natural environmental splendor. These lands must be protected for the enjoyment of future generations and the Ensign-Bryan bill provides the necessary means to accomplish this united goal.

H.R. 449 provides money to offset a $1.7 billion water delivery system for Clark County. Ten percent of the revenues would be used by Southern Nevada Water Authority for construction of a future water delivery system. The ability of the residents to receive an adequate water supply is the most pressing issue currently facing southern Nevada.

Finally, H.R. 449 helps future generations by providing revenue for education. It has been estimated that school enrollment is projected to increase by 83 percent by 2006 and the Clark County School District will need to build one elementary school a month just to accommodate the new students coming in.

H.R. 449 also helps our youngest residents by setting aside nearly 40 acres of land to be used specifically for development of youth recreation facilities like baseball diamonds and soccer fields. As this phenomenal rate of growth sweeps the Las Vegas Valley, it is important we preserve ample and safe areas for our children and our children's children to play.

The Ensign-Bryan bill gives new authority to the Secretary of the Interior to sell lands to local governments for affordable housing. The entire State of Nevada is experiencing growth and affordable housing needs exist throughout the State. With this new authority, the Secretary, working with local governments, can provide adequate housing facilities for our less fortunate residents. It is vitally important that everyone, young and old, have access to a roof over their head, and the Ensign-Bryan bill makes this possible.

Mr. Speaker, I cannot emphasize strongly enough the importance of this legislation to Nevada and the precedent it will set for other areas. We have come a long way since this legislation was initially introduced, and again I want to thank my colleague in the Senate, Senator BRYAN, I want to thank the gentleman from Utah, Chairman HANSEN, my colleague the gentleman from Nevada, JIM GIBBONS, and also the minority and the minority staff for all the work they have done on this.

Mr. HANSEN. Mr. Speaker, I yield the balance of the time to the gentleman from Nevada, [Mr. GIBBONS], who has the rest of the State.

The SPEAKER pro tempore (Mr. EWING). The gentleman from Nevada, [Mr. GIBBONS], is recognized for 9 minutes.

(Mr. GIBBONS asked and was given permission to revise and extend his remarks.)

Mr. GIBBONS. Mr. Speaker, I want to begin by thanking my colleague, the Congressman from southern Nevada, JOHN ENSIGN, for his outstanding work on H.R. 449, the Southern Nevada Public Lands Management Act of 1997. H.R. 449 will solve many land, sale and exchange problems for Southern Nevada because Southern Nevada is one of the Nation's fastest growing areas and, with over 87 percent of Nevada owned by the Federal Government, it makes expansion for our communities almost impossible.

The Bureau of Land Management and many developers continually disagree over the fair market value of these public lands. The BLM praises the land

as being fully developed, trying to maximize the returns on public lands, while developers, on the other hand, feeling the land would continue to be sagebrush without their development, appraise the land as desert.

H.R. 449 will change the appraisal process by auctioning off land to the highest bidder. This will ensure the taxpayers of America get the highest probable price for our public lands, and will allow developers to acquire needed lands for community expansion and development.

My colleague the gentleman from Nevada, [Mr. ENSIGN], was helpful in working with me to get report language that assures all Federal proceeds from the land sales would be spent first in Clark County and then priority would be placed on lands in the Lake Tahoe Basin.

H.R. 449 requires a funding split from land sales, 85 percent going to the Federal Government for the purchase of environmentally sensitive land in Nevada and the remaining 15 percent going to the State of Nevada.

The Federal Government's 85 percent, which is used to purchase environmentally sensitive areas, caused me and my constituents great concern. Many times in previous land exchanges, large amounts of land in Northern Nevada were bought and exchanged for small parcels of land in Southern Nevada. This process has destroyed the tax base of many cities and counties and essentially gave the Federal Government more land ownership in Nevada.

No longer were ranches farmed, taxes paid or workers hired. Needless to say, land exchanges and sales have been tough for many local governments in Nevada.

That is why Congressman ENSIGN's diligent effort has allowed Northern Nevada to protect its tax base and stop the Federal Government from continually owning more and more of Nevada. The land in the Lake Tahoe Basin is very pristine, and it is in need of protection to guarantee the quality of the lake and the surrounding forests.

In conclusion, Mr. Speaker, the Southern Nevada Public Land Management Act of 1997 accomplishes two very important goals in Nevada. First, it allows land in the Las Vegas area to be developed to accommodate the ever growing number of people moving to that area. And second, it will serve to protect and improve many environmentally sensitive areas in Clark County and the Lake Tahoe Basin while protecting the tax base in Northern Nevada.

Finally, this bill is good for the American taxpayer because it protects them in the land sale and exchange process.

Mr. Speaker, I would again like to compliment my colleagues on this bill and encourage all Members to support H.R. 449.

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

Mr. Speaker, we understand Las Vegas and Clark County are under tremendous growth pressure, and we can sympathize with their situation. I think we can all agree that the BLM should work with the local community regarding land sales and exchanges the agency is undertaking in the area. We want to see this done in a fair and reasonable way, one that protects the national interests in these public lands and is mindful of local needs and concerns.

With that in mind, Mr. Speaker, we will accept the bill and ask that it move forward today.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah [Mr. HANSEN] that the House suspend the rules and pass the bill, H.R. 449, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. HANSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 449, the bill just passed.

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

There was no objection.

LEAKING UNDERGROUND STORAGE TANK TRUST FUND AMENDMENTS ACT OF 1997

Mr. OXLEY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 688) to amend the Solid Waste Disposal Act to require at least 85 percent of funds appropriated to the Environmental Protection Agency from the Leaking Underground Storage Tank Trust Fund to be distributed to States for cooperative agreements for undertaking corrective action and for enforcement of subtitle I of such act, as amended.

The Clerk read as follows:

H.R. 688

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 ''Leaking Underground Storage Tank Trust Fund Amendments Act of 1997''.

TITLE I—DISTRIBUTIONS FROM LEAKING UNDERGROUND STORAGE TANK TRUST FUND

SEC. 101. LEAKING UNDERGROUND STORAGE TANKS.

(a) TRUST FUND DISTRIBUTION.—Section 9004 of the Solid Waste Disposal Act (42 U.S.C. 6991c) is amended by adding at the end the following new subsection:

''(f) TRUST FUND DISTRIBUTION TO STATES.—

''(1) IN GENERAL.—(A) The Administrator shall distribute to States at least 85 percent of the funds appropriated to the Environmental Protection Agency from the Leaking Underground Storage Tank Trust Fund (in this subsection referred to as the 'Trust Fund') each fiscal year for the reasonable costs under cooperative agreements entered into with the Administrator for the following:

''(i) States' actions under section 9003(h)(7)(A).

''(ii) Necessary administrative expenses directly related to corrective action and compensation programs under subsection (c)(1).

''(iii) Enforcement of a State or local program approved under this section or enforcement of this subtitle or similar State or local provisions by a State or local government.

''(iv) State and local corrective actions pursuant to regulations promulgated under section 9003(c)(4).

''(v) Corrective action and compensation programs under subsection (c)(1) for releases from underground storage tanks regulated under this subtitle in any instance, as determined by the State, in which the financial resources of an owner or operator, excluding resources provided by programs under subsection (c)(1), are not adequate to pay for the cost of a corrective action without significantly impairing the ability of the owner or operator to continue in business.

''(B) Funds provided by the Administrator under subparagraph (A) may not be used by States for purposes of providing financial assistance to an owner or operator in meeting the requirements respecting underground storage tanks contained in section 280.21 of title 40 of the Code of Federal Regulations (as in effect on the date of the enactment of this subsection) or similar requirements in State programs approved under this section or similar State or local provisions.

''(2) ALLOCATION.—

''(A) PROCESS.—In the case of a State that the Administrator has entered into a cooperative agreement with under section 9003(h)(7)(A), the Administrator shall distribute funds from the Trust Fund to the State using the allocation process developed by the Administrator for such cooperative agreements.

''(B) REVISIONS TO PROCESS.—The Administrator may revise such allocation process only after—

''(i) consulting with State agencies responsible for overseeing corrective action for releases from underground storage tanks and with representatives of owners and operators; and

''(ii) taking into consideration, at a minimum, the total revenue received from each State into the Trust Fund, the number of confirmed releases from leaking underground storage tanks in each State, the number of notified petroleum storage tanks in each State, and the percent of the population of each State using groundwater for any beneficial purpose.

''(3) RECIPIENTS.—Distributions from the Trust Fund under this subsection shall be made directly to the State agency entering into a cooperative agreement or enforcing the State program.

''(4) COST RECOVERY PROHIBITION.—Funds provided to States from the Trust Fund to owners or operators for programs under subsection (c)(1) for releases from underground storage tanks are not subject to cost recovery by the Administrator under section 9003(h)(6).''.

(b) TECHNICAL AMENDMENTS.—Subtitle I of the Solid Waste Disposal Act (42 U.S.C. 6991 et seq.) is amended as follows: