

This bill is a part of the debate on the very important issue of water resource planning in this country. The gentleman from Georgia, Mr. LINDER, has taken an important step in encouraging this debate, calling for the creation of a Federal commission to examine issues related to national water resource planning, and to report its findings on potential ways to insure against large-scale water shortages in the future.

While I believe that the legislation introduced by our colleague is a good starting point, we must be sure to examine fully all of the relevant issues for ensuring adequate supplies of clean and safe water to meet current and future needs.

For example, water resource planning should work toward increasing the efficiency of water consumption as well as increasing the supply of water. Simply increasing the supply of water can be a more costly approach to meeting future water needs, and in any case, merely postpones any potential water resource crisis.

In addition, it is important to remember that issues of water supply are closely related to water quality. Contaminated sources of freshwater are of little use to the Nation's health or livelihood; removing contaminants drives up the overall cost of providing safe and reliable water resources to our people.

In addition, human activities, whether through the pollution of waterbodies from point or non-point sources, the elimination of natural filtration abilities of wetlands, or through the destruction and elimination of aquifer recharge points, can have a significant impact on available supplies of usable water.

We cannot base our future water resource planning needs on the possibility of finding "new" sources of freshwater while, at the same time, tolerating practices that destroy or contaminate existing sources. All the water there ever was or ever will be on this planet is with us now; we must spare no effort to be vigilant and careful stewards of that water.

I urge my colleagues to support the bill.

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

The SPEAKER pro tempore (Mrs. MILLER of Michigan). The question is on the motion offered by the gentleman from Tennessee (Mr. DUNCAN) that the House suspend the rules and pass the bill, H.R. 135.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. DUNCAN. Madam 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 and the Chair's prior announcement, further proceedings on this motion will be postponed.

PINE SPRINGS LAND EXCHANGE ACT

Mr. DUNCAN. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 482) to provide for a land exchange involving Federal lands in the Lincoln National Forest in the State of New Mexico, and for other purposes.

The Clerk read as follows:

H.R. 482

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 "Pine Springs Land Exchange Act".

SEC. 2. LAND EXCHANGE, LINCOLN NATIONAL FOREST, NEW MEXICO.

(a) DEFINITIONS.—In this section:

(1) FEDERAL LAND.—The term "Federal land" means the three parcels of land, and any improvements thereon, comprising approximately 80 acres in the Lincoln National Forest, New Mexico, as depicted on the map entitled "Pine Springs Land Exchange" and dated May 25, 2004, and more particularly described as S1/2SE1/4NW1/4, SW1/4SW1/4, W1/2E1/2NW1/4SW1/4, and E1/2W1/2NW1/4SW1/4 of section 32 of township 17 south, range 13 east, New Mexico Principal Meridian.

(2) NON-FEDERAL LAND.—The term "non-Federal land" means the parcel of land owned by Lubbock Christian University comprising approximately 80 acres, as depicted on the map referred to in paragraph (1) and more particularly described as N1/2NW1/4 of section 24 of township 17 south, range 12 east, New Mexico Principal Meridian.

(b) LAND EXCHANGE REQUIRED.—

(1) EXCHANGE.—In exchange for the conveyance of the non-Federal land by Lubbock Christian University, the Secretary of Agriculture shall convey to Lubbock Christian University, by quit-claim deed, all right, title, and interest of the United States in and to the Federal land. The conveyance of the Federal land shall be subject to valid existing rights and such additional terms and conditions as the Secretary considers appropriate to protect the interests of the United States.

(2) ACCEPTABLE TITLE.—Title to the non-Federal land shall conform with the title approval standards of the Attorney General applicable to Federal land acquisitions and shall otherwise be acceptable to the Secretary.

(3) COSTS OF IMPLEMENTING THE EXCHANGE.—The costs of implementing the land exchange shall be shared equally by the Secretary and Lubbock Christian University.

(4) COMPLETION.—Subject to paragraph (2), the Secretary shall complete, to the extent practicable, the land exchange not later than 180 days after the date of the enactment of this Act.

(c) TREATMENT OF MAP AND LEGAL DESCRIPTIONS.—The Secretary and Lubbock Christian University may correct any minor error in the map referred to in subsection (a)(1) or the legal descriptions of the Federal land and non-Federal land. In the event of a discrepancy between the map and legal descriptions, the map shall prevail unless the Secretary and Lubbock Christian University otherwise agree. The map shall be on file and available for inspection in the Office of the Chief of the Forest Service and the Office of the Supervisor of Lincoln National Forest.

(d) EQUAL VALUE EXCHANGES.—The fair market values of the Federal land and non-Federal land exchanged under subsection (b) shall be equal or, if they are not equal, shall be equalized in the manner provided in section 206 of the Federal Land Policy Management Act of 1976 (43 U.S.C. 1716). The fair market value of the land shall be determined by appraisals acceptable to the Secretary and Lubbock Christian University. The appraisals shall be performed in conformance with subsection (d) of such section and the Uniform Appraisal Standards for Federal Land Acquisitions.

(e) REVOCATION AND WITHDRAWAL.—

(1) REVOCATION OF ORDERS.—Any public orders withdrawing any of the Federal land

from appropriation or disposal under the public land laws are revoked to the extent necessary to permit disposal of the Federal land.

(2) WITHDRAWAL OF FEDERAL LAND.—Subject to valid existing rights, pending the completion of the land exchange, the Federal land is withdrawn from all forms of location, entry and patent under the public land laws, including the mining and mineral leasing laws and the Geothermal Steam Act of 1970 (30 U.S.C. 1001 et seq.).

(f) ADMINISTRATION OF LAND ACQUIRED BY UNITED STATES.—

(1) BOUNDARY ADJUSTMENT.—Upon acceptance of title by the Secretary of the non-Federal land, the acquired land shall become part of the Lincoln National Forest, and the boundaries of the Lincoln National Forest shall be adjusted to include the land. For purposes of section 7 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-9), the boundaries of the Lincoln National Forest, as adjusted pursuant to this paragraph, shall be considered to be boundaries of the Lincoln National Forest as of January 1, 1965.

(2) MANAGEMENT.—The Secretary shall manage the acquired land in accordance with the Act of March 1, 1911 (commonly known as the Weeks Act; 16 U.S.C. 480, 500, 513-519, 521, 552, 563), and in accordance with the other laws and regulations applicable to National Forest System lands.

(g) RELATION TO OTHER LAWS.—Subchapters II and III of chapter 5 of title 40, United States Code, and the Agriculture Property Management Regulations shall not apply to any action taken pursuant to this section.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. DUNCAN) and the gentlewoman from California (Mrs. NAPOLITANO) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee (Mr. DUNCAN).

GENERAL LEAVE

Mr. DUNCAN. Madam 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 the bill under consideration.

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

There was no objection.

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

H.R. 482 would authorize a land exchange involving Federal lands in the Lincoln National Forest in the State of New Mexico. This legislation would exchange 80 acres between the Lincoln National Forest and Lubbock Christian University for a much-needed expansion of the University's Pine Springs Camp. The camp is used in the summer for week-long camp sessions and utilized in the winter by college groups, youth groups, and churches for retreats.

In recent years, the camp has seen an increase in visitors and will soon run out of room, forcing the camp to turn visitors away. Both the camp and Lubbock Christian University are non-profit. I urge all of my colleagues to support this important measure.

Madam Speaker, I reserve the balance of my time.

Mrs. NAPOLITANO. Madam Speaker, I yield myself such time as I may consume.

(Mrs. NAPOLITANO asked and was given permission to revise and extend her remarks.)

Mrs. NAPOLITANO. Madam Speaker, the Lincoln National Forest land exchanges takes approximately 80 acres of forest land in the Lincoln National Forest and exchanges that for private land currently owned by Lubbock Christian University. I would hope that this is in perpetuity rather than to be put up for sale at some time in the future. This has been a very grave area for me.

Our committee worked hard in the 108th Congress to refine the language that would make this exchange fair to the American taxpayer. The bill we are considering today requires that the exchange be of equal value. If the land appraisers determine the parcels are not of equal value, the bill provides for equalization of values through cash payment.

We are aware that land exchanges can often be controversial and contrary to the public interest. However, in this case we have worked to ensure a fair deal which both improves the National Forest by consolidating land ownership and enables Lubbock Christian University to extend its summer camp.

Madam Speaker, I reserve the balance of my time.

Mr. DUNCAN. Madam Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. NEUGEBAUER), the author of this legislation.

Mr. NEUGEBAUER. Madam Speaker, H.R. 482 provides for a small land exchange between Lincoln National Forest in New Mexico and Lubbock Christian University in my district. This land exchange is a fair exchange and provides benefits for both parties.

One of the good things about this exchange is that we are exchanging 80 acres of pristine land that LCU currently controls that has National Forest all of the way around it, giving that 80 acres back so we do not have a doughnut in the middle of a National Forest, in consideration for 80 acres adjacent to a camp that is already up and going and has many facilities already on it and is serving many young people in the summertime. And in the fall and the winter, adult groups are able to utilize this facility.

I thank the gentleman from New Mexico (Mr. PEARCE). This land is in his district. The gentleman from New Mexico (Mr. PEARCE) has been very cooperative, and we appreciate that. I also thank the gentleman from California (Mr. POMBO) and the Committee on Resources for their work and thank them for getting this to the floor for a vote so that LCU can begin putting improvements on this land, and hopefully some of those improvements may be available for this summer.

This is a like-kind exchange between two pieces of property. This bill provides for if there is perceived to be some difference in compensation. This bill gets this off center. This request has been pending for a couple of years, and we are able to expedite this issue and get it in place. I think that is good public policy. I urge my colleagues to support and pass H.R. 482.

Mrs. NAPOLITANO. Madam Speaker, I yield back the balance of my time.

Mr. DUNCAN. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, I simply want to close by commending the gentleman from Texas (Mr. NEUGEBAUER) for his very fine work on this legislation. This is a very worthwhile land exchange. I urge all of my colleagues to support it.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. DUNCAN) that the House suspend the rules and pass the bill, H.R. 482.

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.

DIRECTING CONVEYANCE OF CERTAIN LAND TO LANDER COUNTY, NEVADA, AND TO EUREKA COUNTY, NEVADA, FOR CONTINUED USE AS CEMETERIES

Mr. DUNCAN. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 541) to direct the Secretary of Agriculture to convey certain land to Lander County, Nevada, and the Secretary of the Interior to convey certain land to Eureka County, Nevada, for continued use as cemeteries.

The Clerk read as follows:

H.R. 541

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

SECTION 1. CONVEYANCE TO LANDER COUNTY, NEVADA.

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

(1) The historical use by settlers and travelers since the late 1800's of the cemetery known as "Kingston Cemetery" in Kingston, Nevada, predates incorporation of the land within the jurisdiction of the Forest Service on which the cemetery is situated.

(2) It is appropriate that that use be continued through local public ownership of the parcel rather than through the permitting process of the Federal agency.

(3) In accordance with Public Law 85-569 (commonly known as the "Townsite Act"; 16 U.S.C. 478a), the Forest Service has conveyed to the Town of Kingston 1.25 acres of the land on which historic gravesites have been identified.

(4) To ensure that all areas that may have unmarked gravesites are included, and to ensure the availability of adequate gravesite space in future years, an additional parcel consisting of approximately 8.75 acres should be conveyed to the county so as to include the total amount of the acreage included in the original permit issued by the Forest Service for the cemetery.

(b) CONVEYANCE ON CONDITION SUBSEQUENT.—Subject to valid existing rights and the condition stated in subsection (e), the Secretary of Agriculture, acting through the Chief of the Forest Service (referred to in this section as the "Secretary"), not later than 90 days after the date of enactment of this Act, shall convey to Lander County, Nevada (referred to in this section as the "county"), for no consideration, all right, title, and interest of the United States in and to the parcel of land described in subsection (c).

(c) DESCRIPTION OF LAND.—The parcel of land referred to in subsection (b) is the parcel of National Forest System land (including any improvements on the land) known as "Kingston Cemetery", consisting of approximately 10 acres and more particularly described as SW1/4SE1/4SE1/4 of section 36, T. 16N., R. 43E., Mount Diablo Meridian.

(d) EASEMENT.—At the time of the conveyance under subsection (b), subject to subsection (e)(2), the Secretary shall grant the county an easement allowing access for persons desiring to visit the cemetery and other cemetery purposes over Forest Development Road #20307B, notwithstanding any future closing of the road for other use.

(e) CONDITION ON USE OF LAND.—

(1) IN GENERAL.—The county (including its successors) shall continue the use of the parcel conveyed under subsection (b) as a cemetery.

(2) REVERSION.—If the Secretary, after notice to the county and an opportunity for a hearing, makes a finding that the county has used or permitted the use of the parcel for any purpose other than the purpose specified in paragraph (1), and the county fails to discontinue that use—

(A) title to the parcel shall revert to the United States to be administered by the Secretary; and

(B) the easement granted to the county under subsection (d) shall be revoked.

(3) WAIVER.—The Secretary may waive the application of paragraph (2)(A) or (2)(B) if the Secretary determines that such a waiver would be in the best interests of the United States.

SEC. 2. CONVEYANCE TO EUREKA COUNTY, NEVADA.

(a) FINDINGS.—Congress finds the following:

(1) The historical use by settlers and travelers since the late 1800s of the cemetery known as "Maiden's Grave Cemetery" in Beowawe, Nevada, predates incorporation of the land within the jurisdiction of the Bureau of Land Management on which the cemetery is situated.

(2) It is appropriate that such use be continued through local public ownership of the parcel rather than through the permitting process of the Federal agency.

(b) CONVEYANCE ON CONDITION SUBSEQUENT.—Subject to valid existing rights and the condition stated in subsection (e), the Secretary of the Interior, acting through the Director of the Bureau of Land Management (referred to in this section as the "Secretary"), not later than 90 days after the date of enactment of this Act, shall convey to Eureka County, Nevada (referred to in this section as the "county"), for no consideration, all right, title, and interest of the United States in and to the parcel of land described in subsection (c).

(c) DESCRIPTION OF LAND.—The parcel of land referred to in subsection (b) is the parcel of public land (including any improvements on the land) known as "Maiden's Grave Cemetery", consisting of approximately 10 acres and more particularly described as S1/2NE1/4SW1/4SW1/4, N1/2SE1/4SW1/4SW1/4 of section 10, T.31N., R.49E., Mount Diablo Meridian.