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## Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. GRASSLEY).

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty God, the source from which we come and the goal to which we travel, enter into our lives and make us more like You. Strengthen our Senators. Equip and empower them with Your heavenly grace, so that they may solve the problems of our times with Your wisdom and love. May their labors help make America a nation You can trust and bless. Lord, grant that the powers of justice, understanding, and cooperative endeavors will be used to unify this land we love.

We pray in Your strong Name. Amen.

### PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. CRAMER). Under the previous order, the leadership time is reserved.

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

### MEASURE PLACED ON THE CALENDAR—S. 340

Mr. McCONNELL. Mr. President, I understand there is a bill at the desk due for a second reading.

The PRESIDING OFFICER. The clerk will read the title of the bill for the second time.

The senior assistant legislative clerk read as follows:

A bill (S. 340) to promote competition in the market for drugs and biological products by facilitating the timely entry of lower-cost generic and biosimilar versions of those drugs and biological products.

Mr. McCONNELL. In order to place the bill on the calendar under the provisions of rule XIV, I would object to further proceedings.

The PRESIDING OFFICER. Objection having been heard, the bill will be placed on the calendar on the next legislative day.

### STATE OF THE UNION MESSAGE

Mr. McCONNELL. Last night, the President shared a hopeful vision of a bright future for our country. In part, he reminded us that the future is bright because of the big steps we have taken together in the past 2 years to move the Nation forward—steps such as historic tax reform that has helped middle-class families across America keep more of what they earn; the regulatory reforms that have amped up our economy and fueled job creation; the landmark legislation we passed to combat the opioid epidemic; the long-needed investment in our Armed Forces that gives our servicemembers the tools and training they need to keep us safe.

As I mentioned yesterday, some of these accomplishments were delivered by Republicans alone, but the lion's share of them were bicameral and bipartisan. They combined the ideas and priorities of both sides of the aisle and both Chambers of Congress. So even though I know our Democratic colleagues' first instinct these days is to reflexively criticize anything President Trump says or does, I hope they took some pride in the strong state of our Union which the President described.

This great country belongs to all of us, and it is going to take all of us to keep moving forward. As the President put it, "cooperation, compromise, and the common good."

Last night, the President highlighted, in particular, the national challenges he sees as most urgent and as top priorities for his administration this year. Tackling them will require that same bipartisan spirit in Congress. He restated the administration's commitment to addressing the humanitarian and security crisis at our Nation's southern border, to fighting on behalf of American workers and job creators, to rebuilding America's infrastructure, and to helping simplify families' budgets by lowering the cost of healthcare and prescription drugs. On these and other challenges, the American people deserve the full attention of a fully functioning Congress. They deserve a Democratic Party that puts the public interest ahead of political spite and comes to the table to negotiate necessary compromises.

Well, it will not be long before we will see if this institution can rise to the occasion. The next deadline for appropriations will arrive in a little over a week, and Members in both Chambers will need to prove we can move past making points and start actually making a difference.

Throughout the coming year, if we are serious about advancing meaningful policy, this basic requirement will remain the same—good-faith efforts between a Democratic-controlled House and a Republican-controlled Senate and President Trump's administration.

Another challenge the President mentioned is the ongoing obstruction of his nominations to the executive branch and the Federal courts. He was absolutely right about that. To a historic degree, Senate Democrats have slow-walked well-qualified nominees, gumming up committee consideration and burning weeks of valuable time on the floor. As I have said time and

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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again, this mindless obstruction is unacceptable.

So I was encouraged the President took an opportunity last night to highlight for the Nation exactly what we are up against in this regard. We are into the third year of his Presidency—the third year—and the American people deserve a fully functioning and fully staffed Federal Government after 3 years. It is time for their elected representatives to be part of the solution.

I know several of our colleagues are discussing ways to help the Senate better fulfill its duty in this area. I hope there will be cooperation from the other side of the aisle to identify and advance a durable and fair solution.

President Trump offered a clear picture of the ways in which our policies are delivering significant results to families across America and the urgent challenges we still need to confront together. He offered us a powerful reminder that America's strength and goodness are inextricably linked with our commitment to individual liberty and free enterprise and that we can never allow the United States of America to dim our light by sliding into the failures of socialism. Socialism has failed everywhere it has been tried, and we are not going to try it in this country. We need to do right now what we need to in order to move forward together.

The brief Democratic response showed us one potential way forward. Our colleagues across the aisle could simply deny the facts in front of us about the progress that has taken place—progress which middle-class families all across America can tangibly feel—and use the same, tired, forgettable clichés to divide our Nation along political lines, but the President offered a chance to walk together, unified, along a higher road. Both the tone and the substance of his speech would strike any fair observer as reasonable and thoroughly bipartisan.

Once again, the only way this divided Congress will be able to choose greatness and deliver significant legislation to the American people is by focusing on, as President Trump put it, “cooperation, compromise, and the common good.”

That will need to be our motto moving forward. The Nation we love deserves no less. The American people will be watching us.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### NATURAL RESOURCES MANAGEMENT ACT—MOTION TO PROCEED—Resumed

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 47, which the clerk will report.

The senior assistant legislative clerk read as follows:

Motion to proceed to S. 47, a bill to provide for the management of the natural resources of the United States, and for other purposes.

Mr. MCCONNELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

#### STATE OF THE UNION MESSAGE

Mr. SCHUMER. Mr. President, last night President Trump had the opportunity to bring our parties together and offer the Congress and the country a new vision for the next 2 years of divided government. President Trump squandered the opportunity with a forgettable and, oftentimes, incoherent speech. At times, he called for unity without specifics, and at other times he served up divisive campaign rhetoric that he has used so frequently in the past.

The President's speech was like a 90-minute performance of “Dr. Jekyll and Mr. Hyde,” calling for comity but lacing it throughout with invectives. Unfortunately, President Trump seemed more excited and placed more emphasis on the Mr. Hyde parts of the speech than on the Dr. Jekyll parts.

Listen to a few of the contradictions in the speech. There were so many that I can't mention all of them.

President Trump says he believes in legal immigration but not illegal immigration, but every bill he has pushed on immigration has cut legal immigration as well as illegal immigration, including the proposal he has now sent over, in the debates, where he changes the asylum process dramatically.

President Trump said he would only work with us in Congress if we abandoned our oversight duties. He is back to his old tricks—hostage-taking. He said: I am not going to advance the causes of the American people if Congress investigates me.

Congress is supposed to do oversight of the executive branch. It is one of the things the Founding Fathers put in the Constitution. They were weary of overweening Executive power. They wanted Congress to be a check.

What is President Trump afraid of? If he weren't afraid of these investigations and if he weren't afraid of something that might be there that he did that was wrong, he would shrug his shoulders and say: Let them go forward.

But, instead, he threatens. He threatens the American people by saying: Unless these investigations stop, I am not going to move forward on anything.

How about this one? This one made everybody's eyes roll, even on the Re-

publican side. He said if he weren't elected President, we would be in a war with North Korea—what hyperbole. It is not just hyperbole—what untruth, what selective memory. President Trump began his time in office by precipitously ramping up tensions with North Korea. They were much lower under President Obama than they were with President Trump.

Maybe the most blatant contradiction of all, which makes you just lose respect for the integrity and honesty of the President, was when President Trump spoke about the need to defend protections for Americans with preexisting conditions, while at the very same time his administration is waging a lawsuit that would eviscerate protections for preexisting conditions. How can the President have the nerve to get up on the podium last night and say he wants to preserve preexisting conditions and wage a lawsuit, support a lawsuit that tries to undo them? It is shocking hypocrisy—that one maybe most of all for a speech that had many.

Of course, there were a whole lot of omissions in the speech that many Americans felt should have been placed in. Let me give an example. The President did talk about a few potentials for bipartisan compromise. We Democrats would love to compromise with the President and come up with some things that would advance the causes of working families in America.

He mentioned infrastructure and prescription drugs, but instead of offering substantive ideas and spending some time on these issues, he delivered a couple of lines about each and then moved on. It seemed obligatory and perfunctory. There was no new sinew, no real way to figure out if there is a way we can come together and get something done, because he really didn't seem interested.

He talked about the future of America and didn't even mention climate change. How could you do that? Every scientist who has studied it knows that in the next 10, 20, 30, or 40 years, climate change is going to evoke huge changes in our country and in our world. If you believe in the future and you want to have a good future for our children and grandchildren, which we all do, you can't ignore climate change. You may have different views on it, but you can't ignore it.

He also talked a great deal about the safety of the American people, but there was not one mention about gun safety—not one. Again, maybe not to President Trump, maybe not to his hard-core supporters, but to the rest of America, to talk about the need for security and the safety of Americans and not to talk about gun safety misses the mark badly.

Then he rattled off economic statistics—how great everything is—but completely ignored the difficult economic realities of working Americans. Why do so many Americans not have faith in the future? Why do so many Americans worry that their children

will not have as good a life economically as they do? It is because so much of what the President has done economically has benefited the top 10 percent. Those improve the overall statistics, but they don't improve the lives of the average middle-class person.

Let's take the tax cut, a huge tax cut geared to the wealthy and the powerful corporations. The President said each worker will get about a \$4,000 increase. It didn't happen. Wages are going up by a small amount. They are still way behind where they were in the past. What did these companies do with all of this huge tax break? They got \$1 trillion in buybacks—buybacks, which benefit the corporate CEOs, which benefit the shareholders but do nothing for the workers, since so many of them don't own stock.

In fact, the stock market has become more skewed. About 85 percent of the value of the shares is held by the top 10 percent of Americans.

Then, of course, on the wall, he demanded that Congress fund his wall but showed no signs of remorse over the pointless Trump government shutdown that he precipitated. He didn't mention the pain he caused to 800,000 Federal workers, even though many of them were in the Galleries listening.

I brought as a guest a man named Ronan Byrne. He works in the TRACON, our control tower in New York. He just had two twins. He has two other kids. I saw the nice pictures. He came with his wife. She quit her job when the twins came along.

He lost his salary at an intense job like that, where you have to be on all the time. I have been up there in the TRACON. It is dark. You see little dots, and you can't have them get too near each other because that is a safety issue for the people on the planes, and here he was worried about paying the bills and providing for his children.

Well, there was no mention of people like that. No, it was just about his wall.

It didn't work for the President. We know that. Our Republican colleagues and Leader MCCONNELL know that. I think even in his situation, where he is often in a bubble that is often only aimed at the narrow band of his supporters, he touched a hot stove, and I don't think he wants to do it again.

But there was no mention of it. He should have used his speech to say: We are not going to have another government shutdown. There was no word.

There was no plan to tackle our opioid problem. There was no plan to increase wages for the middle class. There was no plan to increase manufacturing jobs.

So anyone who hoped that the President would change course and offer some new bipartisan ideas with some meat on the bone where we could discuss it and begin to move forward to help the American people was sorely disappointed. As I said, his real excitement came in the most divisive parts of the speech on immigration and abortion.

So let's contrast his speech with Stacey Abrams'. The contrast between the President's speech and Stacey Abrams' speech was stunning. The President was political, divisive, calculating, and, at times, even nasty. Ms. Abrams was compelling, warm, and uplifting, showing real compassion for the plight of our average families but also filled with hope and inspired by the promise of the American dream. It was an uplifting speech. Ms. Abrams' speech represented the kind of unifying vision—understanding our challenges but also having some confidence in our ability to solve them—that the President failed to deliver. In short, last night, Stacey Abrams gave President Trump a lesson in how to lead.

Xavier Becerra, speaking from the high school he graduated from in Sacramento, McClatchy High School, gave a wonderful response in Spanish.

We all knew the President would say that the state of our Union was strong, but the American people know the unfortunate truth. On the economy, on healthcare, on governance, and on foreign policy, it is abundantly clear that the Trump administration has been getting failing grades from the American people.

The state of the Trump economy? Failing the middle class. Wealthy shareholders and corporate executives cashed in from the Trump tax bill, while American workers have been left behind.

The state of the Trump healthcare system? Failing American families. Coverage is getting more expensive, and the amount of coverage is declining. Due to the sabotage this administration has done to our healthcare system, this is the first year that fewer Americans have healthcare than they did the year before—the first time in a while.

The state of the Trump administration? Chaos. President Trump has had the most Cabinet turnover in more than a century. He has failed to nominate anyone to one-fifth of our government's top positions. This has nothing to do with the Senate; for one-fifth of the positions, there are no nominations. This is 2 years into this Presidency. The Senate had nothing to do with all the Cabinet members who quit or resigned under a cloud—nothing to do with that either. President Trump likes to blame somebody else for the problems he creates; that is one of his MOs.

The state of President Trump's foreign policy? Inside out. Inside out. Our longstanding allies—countries of NATO—have been alienated. Our adversaries—Russia, China, North Korea—have been emboldened because President Trump doesn't stand up to them. During the national security section of the President's speech last night, the first item he mentioned wasn't Russia's malign activities, North Korea's nuclear program, or even the crisis in Venezuela; it was criticism for our NATO allies. That says it all.

The President's State of the Union last night did something rare for a State of the Union Address: It revealed just how much repair the state of our Union requires; just how much work we still have to do to aid working Americans left behind by an economy that only seems to work for the wealthy and well-connected; to provide American families everywhere with affordable healthcare; to bring stability and accountability to a government too short on both—a government that seems to have made the swamp deeper and more odorous and to further isolate our enemies and give comfort to our allies abroad.

Let us hope and pray that the country can heal. President Trump did nothing to move that forward last night.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SASSE). Without objection, it is so ordered.

CHINA

Mr. SULLIVAN. Mr. President, a number of us have been coming to the floor for quite some time now, talking about challenges posed by China—the big geostrategic challenges for the United States posed by China.

What has happened over the last couple of years—and I think it is very important—is that this issue went from an issue where not many Senators 2, 3, or 4 years ago were talking about it to now, when Democrats, Republicans—all of us—have recognized that literally for the next 50 to 100 years, the biggest challenges we have in terms of national security and economic security for our Nation are the challenges posed by the rise of China. I think that is an important course correction that we have seen in the Congress and, importantly, from the executive branch.

The Trump administration put out a national security strategy, and that national security strategy said: Yes, we still have very significant challenges with regard to violent, extremist organizations like al-Qaida, like ISIS, but long-term we are shifting to a period in which the most significant economic and national security challenge we face as a nation involves the rise of great powers, particularly China as the pacing threat.

I think the administration deserves a lot of credit for this course correction. It is in the national security strategy of the administration. It is in the national defense strategy of the administration. I believe it is strongly supported by Democrats and Republicans in this body.

You may have seen, for example, that Vice President PENCE gave a speech at the Hudson Institute a couple of

months ago. For anyone in America interested in U.S.-China relations, I commend that speech to you. It was an outstanding speech. In my view, it was probably the most important speech on U.S.-China relations since a former Deputy Secretary of State, Bob Zoellick, gave the speech called the Responsible Stakeholder Speech. That was over a decade ago, and Deputy Secretary Zoellick essentially said to China: You have risen in large measure because of the international system that the United States established after World War II, and you benefited from that. What you need to do now is to become a responsible stakeholder in that system. Here is your opportunity. The system that benefited you more than anybody, the system that the United States led—China, you now have the opportunity to become a responsible stakeholder in that system. We are inviting you into it.

Well, I think pretty much everybody—whether Trump administration officials, Obama administration officials, former Bush administration officials—recognizes that China rejected that offer. They are saying: We don't want to be part of the responsible—we do not want to be a member of the system that the United States has led. We are going to do something different.

They rejected it. Again, I think that is not a controversial statement. China experts—Democrats, Republicans, Trump, Obama, Bush—all pretty much agree that is what has happened. So we need a different approach.

Right now, there are very serious negotiations going on between the Trump administration officials and senior Chinese officials, mostly on economic issues. But this relates to broader challenges we have with China, and I have had a number of discussions with Ambassador Lighthizer, Larry Kudlow, who is the NEC chairman at the White House, Secretary Mnuchin, the Vice President, and the President on this topic. I would say again—because it is important not only for the American people but for the Chinese to know—that there is strong bipartisan backing for what is happening right now in terms of our reorientation of the U.S.-China relationship and what we are finally demanding of them.

Not everything is agreed to. There are some people, I think with good reason, who have some concerns about the use of tariffs, but, overall, I think there is broad bipartisan support in this body—having talked frequently with my colleagues on both sides of the aisle—for what the Trump administration is trying to do with regard to China.

As they look to address these issues—and they just had these high-level negotiations just last week—I thought it would be important to lay out a couple of things that I know many Members of the Senate are interested in. Again, this is to show our backing of these negotiations but also to make sure China knows that it isn't

just the Trump administration that is focused on these issues. The Congress and Senate of the United States of America also hold similar goals.

Obviously, the most important goal is to have a relationship in terms of economics and trade and investment that focuses on fairness, reciprocity in terms of open investment and a trading relationship with China. Fairness, reciprocity, open trade, and investment with China—we do not have that right now. That is one of the big challenges.

As they are looking to continue these negotiations and possibly come up with an agreement with China, I thought it would be important for the Chinese to hear what a number of Members of the Senate believe is important in my discussions. Let me review some of these.

First, we need to ensure that China commits to structural changes in their economy, not just pledges to increase purchases of U.S. goods. Increasing purchases of U.S. goods—whether they are Nebraska farm products, which I know the Presiding Officer cares a lot about, or clean burning Alaska natural gas, which I certainly care a lot about—would be positive. But it is certainly not enough. Structural changes to the way in which they run their economy, to the way in which they treat other countries are critical. It was good to see the President last night in the State of the Union say exactly that.

Structural changes—what do we mean by structural changes? First, China, for decades now, has required American companies that invest in China to essentially transfer their technology in exchange for access to their market. No other country in the world does that. China says they don't do it. They do it. They need to stop that. It is against WTO rules.

Secondly, I am going to talk more in detail about how China consistently steals intellectual property from American and other countries' companies around the world.

Third, they heavily subsidize their state-owned enterprises, which gives them an unfair competitive advantage against our companies and impacts negatively our workers and our families.

No. 1, structural changes have to come, and if they don't, we should not accept this kind of deal.

No. 2, China needs to end the "promise fatigue" that we have had with China by enabling us, through some kind of trade agreement, to hold them accountable for the commitments they make. What do I mean by that? We need assurances from the Chinese that will ultimately be fulfilled that an agreement that is reached at the end by this administration can be enforced. Why is that so important? As I mentioned, these kinds of negotiations have been going on for years. The Obama administration, Bush administration, Clinton administration, all in good faith, have tried to get China to commit to the promises and commit-

ments they have already made and hold to them, whether through their WTO commitments or all kinds of other commitments.

Here is the problem. The talk, the agreements, the WTO, the strategic economic dialogues with China—they all sound good, but for the most part, China has not kept its commitments.

In the United States, we are suffering from promise fatigue. We get commitments from China. They make promises, and then they don't keep them. Promise fatigue—the American people, the U.S. Congress, this administration, and I believe other administrations are tired of that. Whatever agreement the Trump administration is working on should address this issue of promise fatigue.

Let me give you a couple of examples of promise fatigue. Many years ago, I had the honor of serving on the National Security Council staff at the White House under Condoleezza Rice. We were at a meeting. I was a staffer for Secretary Condoleezza Rice, who, at the time was National Security Advisor, and President George W. Bush was in the Oval Office with a senior administration official from China, Madame Wu Yi. She was the Vice Premier. She was a very important person from that country. In this meeting, the President—as President Obama has done, as President Trump has done, as President Clinton has done—President Bush really pressed Madame Wu Yi on intellectual property theft. This was in the Oval Office. This was in a meeting in 2003, over 15 years ago. Madame Wu Yi looked at the President of the United States in the eye and said: Mr. President, we are going to fix this. Protecting intellectual property is very important to my country. We know it hurts your country when we steal it. We are going to fix this. I am in charge.

That was pretty powerful. She said it directly to the President of the United States in the Oval Office. I witnessed this.

Let's fast forward to 15 years later. Have they fixed it? No. Has it actually gotten worse? Yes. Promise fatigue.

Let me give a couple of other examples of promise fatigue. In 2015, in the Rose Garden, President Xi of China was standing next to President Obama, and he made essentially two commitments: We are going to stop the cyber theft of industrial products in the United States; we are going to not steal, through the internet, your intellectual property and other valuable trade secrets from American companies—whether related to defense, whether related to other issues—and China will not militarize the South China Sea.

This is 2015—less than 4 years ago—standing next to the President of the United States, the President of China made these commitments in the Rose Garden. Has China kept these commitments? No. They have massively militarized the South China Sea, and they continue their industrial-scale cyber

theft. Great countries, particularly in these kind of settings, need to keep their word. China should know this. A key element of any deal that we as a country strike with China needs to take into account this promise fatigue and have real mechanisms to keep their commitments.

Third, we need to make sure China commits to end its global corrupt practices. What do I mean by that? Predatory Chinese infrastructure financing and bribery of foreign officials are trapping countries around the world in debt and marginalizing outside competition by foreign investors.

There was an article recently in the Wall Street Journal that went into very minute detail of how Chinese officials at the highest levels were bribing senior officials from Malaysia to get investment opportunities with regard to infrastructure in that country.

This is essentially official policy in China to bribe and pay off officials in other countries to help their companies, which are often state-owned and compete against other companies. Is this fair? No. Is this good for the international economic system? No. Does China do it on a regular basis? Yes. Do our companies or the U.S. Government engage in this kind of systematic corruption globally? No.

If the U.S. companies do this, their leaders can go to jail for violating the Foreign Corrupt Practices Act. China has no such prohibitions. To the contrary, they do it as part of official state policy.

Whatever agreement we have with regard to the Chinese on this issue also needs to include addressing this challenge globally of foreign corrupt practices. This kind of state-sponsored corruption should not be tolerated or overlooked. Again, in my discussions with the administration's senior officials, I have encouraged them to make sure this is part of the negotiations in the agreement.

Finally, an important element of our strategy with regard to China has to involve our allies. All of the issues I just talked about—promise fatigue, industrial cyber theft, intellectual property theft—aren't just issues the United States is dealing with. They are issues all of our key allies are dealing with—the Germans, the European Union, Japan, Korea, Canada. Everybody is dealing with these same challenges with regard to China. What does that mean?

The good news is, strategically, the United States is an ally-rich nation, and our adversaries and potential adversaries are ally-poor. We have built a system of alliances. Since World War II, that provides strategic advantage to our Nation. As a matter of fact, one of the most strategic, important advantages we have is our system of alliances, which we need to deepen and broaden. There are many countries in Asia—many countries in Asia—that want a closer relationship with the United States because of the rise of

China. This administration needs to seize that because it makes strategic sense for us, but they also need to coordinate with these countries as we are working on these broader global economic issues as it relates to China. Why? Because if we come to the table, not just the United States but with the Europeans, with the Japanese, with the Koreans, with the Canadians, this provides leverage.

The countries I just named, including ours, constitutes well over two-thirds of the global GDP. If we come together with these demands, we will have much more leverage to get a better deal.

The time is right. I have had the opportunity to talk to senior officials from all of these countries. Every single one of them has challenges like we did with regard to China, and every single one of them wants to work with us.

I commend Ambassador Lighthizer for starting an alliance on trade, as it relates to China, on a regular basis with the EU and Japan. The EU, Japan, and the United States are coordinating on these issues. I think it makes sense for the Ambassador to broaden that coalition—the coalition of the willing on these issues. It does bring significant leverage, and countries are ready for the United States to lean on us. As a matter of fact, the number of countries and Ambassadors whom I have heard who have cited Vice President PENCE's speech on how we have to deal with China has been remarkable. They are looking for U.S. leadership. The administration needs to provide it. Using and making sure we are coordinating with our traditional allies on this issue is vital, and that is how we are going to come to a successful conclusion.

There is a lot we need to do with regard to the challenges posed by China. They are not all negative. A lot of them can be positive. If we had Chinese investment, greenfield investment, in our country, that could help with jobs. That could help ease tensions. It is something I have been encouraging Chinese officials to do for a long time. It is in their interests. I think it is in our interests. We need to take seriously these challenges.

It is an issue. You often hear about some of the tensions or some of the conflicts that exist in this body. In my view, a lot of that is overblown. There is a lot of bipartisan work that goes on in the Senate. The vast majority of the work that goes on in the Senate is bipartisan.

One area of bipartisan agreement, I believe, is the need to focus on this very important geostrategic challenge that our country faces with regard to the rise of China. We are off to a good start in that regard. I want to encourage the administration to continue to focus on this issue and focus on these four points I highlighted this morning on the Senate floor.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MERKLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO TRICIA PEEBLES AND ADRIAN DEVENY

Mr. MERKLEY. Mr. President, I want to begin by recognizing two members of my team who will be leaving at the end of this week—Tricia Peebles and Adrian Deveny—who are on to new adventures and new opportunities to make the world a better place.

Tricia has been with me on my Senate team for over 10 years—since I came to the Senate just over 10 years ago. Before that, she was with me on my team when I was speaker in Oregon for 2 years. So it has now been a dozen years of working together. From the very beginning of this wild ride, she has been with me as my State scheduler. I don't know how I could have done any of it without her.

When you are inventing a State Senate office from the ground up and you need someone with imagination, creativity, and commitment, well, Tricia has all of those in spades. Out in Oregon, she is not only the gatekeeper and defender of my schedule, she is a real advocate, making sure I connect with and hear from and work with Oregonians from all walks of life, Oregonians from every corner of our beautiful State. She has used her uncanny knowledge of the map of Oregon and small cities to get me to townhalls in each of Oregon's 36 counties year after year for 10 years straight. She has done so with military precision. Seriously, it is amazing. Name any two cities in the State, and Tricia can tell you how long it takes to drive between them, any potential road hazards, and most importantly, the nearest Subway sandwich shop so the team can stop and get a bite to eat.

It is always tough to lose an original member of a team, and I honestly don't know how we are going to fill the very large space that will be left in her absence, but I am very excited for her as she takes on her next adventure and wish her nothing but the best.

Adrian Deveny joined my office back in March of 2011. Here we are, almost 8 years later, and he has been an indispensable member of my team. In his 8 years, he has been leading our efforts to tackle the greatest challenge facing humankind on this planet—the challenge of carbon pollution and climate chaos.

He has taken us through initiatives, such as the Keep It in the Ground Act, which said that we as citizens of the United States must no longer profit from leasing out the fossil fuels that we own for extraction and combustion because it contributes to the problem, and the 100 by '50 Act, which said that we need to get to 100 percent renewable energy and that we need to do so by the

year 2050 or earlier and laid out a detailed roadmap on how to do so in each section of the energy economy.

He tirelessly advocated for programs that had real, direct impacts on people's daily lives, whether it was the Rural Energy Savings Program, which created the opportunity throughout rural America for families to upgrade the insulation in their homes and businesses to save energy and have it paid for in large part by those savings in energy, or reforming our Nation's outdated chemical laws with the significant reform of TSCA, where he played a central negotiating role to try to get us from the starting line to the finish line, or helping make electric cars more affordable.

He did all of this and so much more and always with the type of steady disposition, cheerful attitude, nothing but kind words, and support for his teammates that really helped him to be a key facilitator with staff throughout the Senate. He has been the calm in a chaotic storm of a Senate office. It will be tough to see him go, but he won't be going too far away—just moving over from our office in the Hart Office Building to the minority leader's office, CHUCK SCHUMER's office, here in the Capitol to help lead the Democratic caucus's collective efforts on issues related to energy and the environment. So our loss on Team Merkley is the Senate's gain.

A big thank-you to Adrian for all of his hard work on behalf of the people of Oregon and on behalf of a better world, a better energy policy, a better environmental policy, a policy that points at taking on the biggest challenge facing human civilization on this planet.

Thank you, Adrian, for all of your work to save our beautiful blue-green planet.

#### CLIMATE CHANGE

Mr. President, the most important words in our Constitution are the first three, "We the people," written in supersized font so we won't forget about the core mission of our Constitution—a nation that, in President Lincoln's words, is designed to be "of the people, by the people, for the people." Well, in a "we the people" nation, it is the responsibility of government and its leaders to put the interests and well-being of its citizens first.

In July of 1932, while accepting his party's nomination for the Presidency in the height of the Great Depression; after the stock market had crashed, losing almost 90 percent of its value; after 11,000 American banks went bust; after nearly a quarter of the United States was unemployed, Franklin Roosevelt called for "a new deal for the American people." He said that they were living in "unprecedented and unusual times" in which we must "highly resolve to resume the country's uninterrupted march along the path of real progress, of real justice, [and] of real equality."

Well, in our "we the people" Nation, we are once again finding ourselves in

unprecedented and unusual times, and a big factor is the ravages of climate chaos, carbon pollution and the chaos that ensues from that wreaking havoc not only on the environment but on the lives of Americans all across our Nation. We see it in the wildfires that are burning longer and hotter than ever before, not just affecting our forests and the jobs in our forests and our forest economies but at times incinerating entire communities, such as Paradise, CA. Even when such a dramatic event doesn't occur, there is significant damage to our cities, their economies, and their people's health from the smoke.

We have seen over time that the average number of large wildfires has grown. Back in the decade of the 1980s, there were about 140 per year. Now here we are after the turn of the century looking at nearly twice that—250 major wildfires per year on average. And the fire season has gone from roughly 5 months in the early 1970s to 7 months. This is just characterizing the impact of longer, hotter summers—one impact of climate chaos.

We also see climate chaos in the oceans. They are growing hotter year by year. They are growing more acidic year by year as carbon dioxide becomes carbonic acid, actually changing the chemistry of the ocean. We have found that the oceans are about 30 percent more acidic than they were before the Industrial Revolution, affecting our coral reefs and our shellfish.

A recent study found that the planet's oceans are heating up even faster than we anticipated—40 percent faster than we thought just 5 years ago. Now, 2018 broke the record for the warmest ocean temperatures. It beat out the previous record holder of 2017, and that 2017 record broke the previous record holder of 2016. Rising temperatures don't just harm our sea life; they are impacting citizens through impacts on the fishing industry, impacting the coastal communities for which coastal activities are their lifeblood.

I was down on the gulf coast of Florida where they had a red tide that has been in place for 10 of the last 12 months. A red tide essentially is toxic algae that produces toxins that float inland and irritate the lungs and aggravate the asthma of those living near the seashore, and it kills sea life. In addition to the toxins from the red tide, they have dead manatees, dolphins, fish, and turtles washing up on the shores and decomposing, adding to the stench. People on the gulf coast of Florida take inland vacations that at times extend to months to escape the consequence of the red tide, and it causes a huge impact on the economy of those coastal cities.

We see chaos in extreme weather events, massive storms like Harvey and Irma and Maria, which in that year cost our country \$265 billion in damages, took the lives of thousands—thousands in just Puerto Rico—and destroyed hundreds of thousands of homes in the gulf and the Caribbean.

We also see it in wild temperature swings in communities like Chicago. Last summer, Chicago experienced recordbreaking heat and then was hit with a recordbreaking polar vortex. This is climate chaos.

We the people, we the farmers, we the foresters, we the fishermen, and, of course, we the frontline communities of America, minority and low-income communities, whose health is being impacted, feel the impact, a devastating impact, and bear the brunt of climate chaos.

So it is now another time for a new deal for the American people to take on this massive, immediate threat to our people and our planet—a threat we cannot delay responding to.

This time, it must be a Green New Deal—a Green New Deal that not only transitions America to an energy economy that is powered by 100-percent noncarbon, clean, renewable energy, but a Green New Deal that creates millions of good, living-wage jobs in the process and continues our Nation's march along the path of real progress, real justice, and real equality.

Let's think, for a moment, of what the core principles are when we say the words "Green New Deal." Here are some of the core issues.

The first is an energy shift that utilizes today's technology and utilizes and improves our electric grid and our transportation system from ones powered by fossil fuels to ones powered by renewable energy. A key principle of the Green New Deal is that of an energy shift to solar and offshore wind, wave energy, tidal energy, and geothermal energy—all potentially contributing to the noncarbon electricity to power our Nation.

Here is the good news. The cost of noncarbon, nonfossil fuel energy has dropped. It has fallen about 90 percent over the last decade. It has gone from 35 cents per kilowatt hour with solar energy to about 3 to 5 cents per kilowatt hour. That is a massive change. Wind has fallen about 70 percent, and now it is down to 2 to 4 cents per kilowatt hour. What does this mean? This means that a decade ago, the costs were above the costs of burning fossil fuels. Now they are below or are even with the costs of burning fossil fuels because it is about 10 cents per kilowatt hour to create electrons from coal, and it is about 5 cents from natural gas. When you have wind at 2 to 4 cents and solar at 3 to 5 cents, you are competitive, and that means we can choose not only the energy that is best for the planet and best for our health but that is also the smartest investment for our economy.

This is where we are now. We can pursue the smartest investment. If you don't have any understanding of the impact of the climate chaos that is devastating our resources and our cities and our people, you can still choose green power, because it is the smartest economic decision.

The second core principle of the Green New Deal is to create millions of

jobs. Our President likes to talk about jobs, and we need his help in actually creating jobs by renovating our energy economy, by investing in these technologies, and by advancing these technologies. It is so we are selling them to the world rather than buying them from the world. It is so they are employing people in the United States of America rather than employing people in China. We want this revolution to be here, driven by the United States of America—by red, white, and blue ingenuity and innovation. It is not for us to be on the receiving end of technologies that are developed elsewhere, and it is not for us to be on the receiving end of products made elsewhere.

In creating these jobs, we need strong protections for American workers. We want these jobs to be living-wage jobs. We want to see workers able to organize and able to unionize so as to make sure these are family-wage jobs, because a good-paying job is better than any government program for a family's foundation to thrive.

Right now, renewable industries are booming. Jobs in solar and wind are growing 12 times faster than is the rest of the economy. Over 3 million Americans now work in renewable energy and energy efficiency, outnumbering fossil fuels 3 to 1. This is the future of jobs in the United States of America. This is the future of good-paying jobs in the United States of America. Just think of how many more jobs we can create down the road if the United States is leading the world, not following. Let's be the leaders in this green technology revolution. Like Roosevelt's New Deal with the Works Progress Administration, which created jobs that paved a path for the economy to recover, the Green New Deal will drive tens of millions of good-paying jobs for Americans in the decades ahead.

The third big principle is that no one gets left behind in this revolution. It ensures that all Americans have the benefits of the new green economy and that the hard-working Americans who are in the fossil fuel industry and have provided the power that has taken our Nation so far forward have the respect for what they have accomplished and have the opportunity for jobs in the future. It is a just transition into good-paying careers and for communities that have been stumbling in their efforts toward economic progress but have been bypassed in the economy of the past.

They will not be bypassed in the green economy of the future because the point is to design that economy so that those communities can benefit from the clean energy and can benefit from the jobs that the Green New Deal creates. That includes there being access to clean public transportation, community development investments, and the ability of low-income families to not only receive clean energy but to get the clean energy jobs and job training and apprenticeship programs and healthcare and housing that everyone in America should have access to.

Those are the three core principles of this vision. They are the three core principles that will take us forward quickly and productively and will put us in the economic lead of the world. It is a lead we are losing as we stumble—trapped by fossil fuel special interest money and its control of Congress. There are those who say this vision is too bold, that this vision is too far-reaching, but let us think of what Robert Kennedy once said: "Only those who dare to fail greatly can ever achieve greatly."

For the sake of our planet and our Nation and our families and the "we the people" vision of our government, let us dare, and let us dare greatly.

I thank the Presiding Officer.

The PRESIDING OFFICER (Mr. CASIDY). The Senator from Missouri.

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Mr. BLUNT. Mr. President, I want to talk about the bill that we are considering this week. This is a bill that for sportsmen and for those who are interested in public lands is going to have a big impact. It will have big benefits for our country and big benefits for my State of Missouri.

This package includes a number of important provisions to expand hunting and fishing access—something that, I think, every Congress, over a handful of Congresses now, has tried to do and failed to do. It has provisions to protect natural resources and provisions to improve public lands. In my State of Missouri, we have more than 1.2 million hunters and fishermen. They spend about \$1.67 billion annually and support almost 30,000 jobs in our State.

For the first time, this bill makes it clear in statute that all Bureau of Land Management and National Forest System lands will be open to hunting, to recreational shooting, and to fishing unless they are explicitly closed. They can be closed, but they have to be explicitly closed for safety reasons or other justified reasons that are established not just by the Bureau of Land Management or by the National Forest System but through a public process. In other words, they are going to be open unless they are closed instead of the current situation of their being closed unless they are open. This will create an opportunity for people who want to use public lands for those purposes to be able to do so unless those who are responsible for managing those lands can make a real case that they shouldn't be able to do so.

This bill includes important provisions that will improve the visitor experience in two of Missouri's U.S. National Park Service units. One is the provision that would really enhance one's opportunity to learn more about the personal life of the Nation's 33rd President, Harry Truman. I am standing here behind the desk I use every day, which was also the desk that President Truman used when he was in the Senate.

Particularly, there are lessons that can be learned from his life at the

Harry S. Truman National Historic Site, which was first dedicated in May of 1983. It preserves the history of the person who has sometimes been called the people's President. He was the President who, when he was retiring and the press asked him "What is the first thing you are going to do when you get home?" thought for only a minute and said, "I guess the first thing I will do is take the suitcases to the attic." In his 7½ years of being President, he was a guy who had not lost the sense of the kinds of common-sense things that real people deal with.

His story is really well told at his family home in Independence. It is a site that includes not only the home that he and Bess, his wife, shared through their entire marriage, from 1919 until his death in 1972, but some adjacent family properties and some nearby properties of Truman's farm home, which was the home in which he grew up in Grandview, MO.

This is a bill that, in many cases, does really simple things. In this case, it just takes the money, frankly, that the city of Independence wants to give to the Federal Government so the Federal Government has the money to build a new visitors center. The National Park Service would like to build it on this piece of land, but before it can do that, we have to accept the piece of land. That is something that will happen in this bill when we pass it.

There is another provision that would enhance the visitor access to Ste. Genevieve, which is at least the newest historic park in Missouri if not, certainly, one of the newest in the country. This is something we did last year in transitioning some property to the National Park System from the State park system.

Ste. Genevieve, which is on the banks of the Mississippi River, was established in the 1750s by French settlers who were attracted to the area because of the water access, the rich soil, and the ability to make a living there. In fact, the historic park encompasses what was called the common field in the Mississippi River Valley, where citizens would own or be allocated a plot in that field and would farm in that plot. It was not part of the settlement community itself but was at the river bottom, which meant that for flood reasons, you wouldn't want to build a house there, but you could grow some of the most incredible crops that could be grown then or now. In fact, the common field in Ste. Genevieve is recognized as being the oldest continuously farmed piece of land west of the Mississippi River.

Ste. Genevieve had been governed by the French, then the British, then the Spanish, and then the United States in its history as it came into the United States as part of a territory with the Louisiana Purchase. The imprint of each of those countries is still evident in that community today. That is partly thanks to the State of Missouri. It is



thanks to dedicated historic preservation groups, including the National Society of the Colonial Dames of America, the Foundation for Restoration of Ste. Genevieve, Les Amis, and the Ste. Genevieve Chamber of Commerce. They have all worked hard to recognize the unique architecture they have there, some of which dates back to the late 18th century. More of it dates back to the years right after the turn of the 19th century and the very early 1800s.

This bill would allow significant things to happen in that park, including acquiring a standing visitors center that wouldn't happen otherwise.

The bill also permanently reauthorizes the Land and Water Conservation Fund. Many of those hunters and fishermen whom I mentioned earlier are, appropriately, big advocates of this Land and Water Conservation Fund, which allows property to be available to them and to be preserved through this fund in a way that doesn't allow it to be developed but still to be available to hunters, fishermen, birdwatchers, and outdoor enthusiasts.

That fund is largely funded from Federal receipts from the offshore oil and gas leases. In 2018, \$487 million was appropriated by the Congress to continue to maintain and enhance that fund. It supports Federal and State land acquisition, planning grants, and outdoor recreational programs. That has been a program that, for a long time now, the Federal Government has periodically extended. This is the first time that it would be permanently authorized.

This bill reauthorizes the partners in Fish and Wildlife. It reauthorizes the National Geological Mapping Program, the Public Lands Corps program, and, for the first time, the Invasive Species Program at the Corps. The wildlife response activities, as it involves drones, are described here and defined in a new and better way.

It also requires the Fish and Wildlife Service to declare the attorney fee payments they make and, maybe even more importantly, to declare publicly the awards they make to individuals and groups that have filed a civil case and are doing that under the Endangered Species Act. A lot of determinations have been made there that the public was not aware of and, frankly, in my view, that would not have been made if they had to stand the test of public scrutiny that they now have to stand under with this law.

I want to congratulate Senator MURKOWSKI and Senator CANTWELL for bringing this bill to the floor. As we work hard now to do what is necessary, I look forward to passing it here, sending it back to the House, getting it on the President's desk, and doing these things that, in so many cases, have been years now in the making.

This bill brings together about 100 separate pieces of legislation, each of which will make an important difference—no matter how small they are—in the community or the area that they will impact.

With that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### STATE OF THE UNION MESSAGE

Mr. DURBIN. Mr. President, last night, most of America was tuned in to the President's State of the Union Address, and I attended it with most of my colleagues in the U.S. Senate.

The State of the Union Address is an opportunity for the President, once each year, to speak directly not just to Congress but to the American people. The President had an opportunity last night to bring us together and to talk about ways we can solve the challenges facing our great Nation. Sadly, time and again, the President chose to use divisive language when he could have used unifying language.

What is the state of the Union under this President?

Affordable health insurance is at risk. Last night, President Trump said he wanted to protect healthcare for people with preexisting conditions like cancer, diabetes, asthma, and heart disease. What he did not say was that at this very moment, his administration is trying to eliminate those protections for people with preexisting conditions. That is right. A lawsuit—filed by Republican attorneys general, led by the Texas Republican attorney general—is supported by the administration and the President, and it would declare the entire Affordable Care Act unconstitutional, including those provisions that protect people with preexisting conditions. The President can't stand before us and give a speech to the American people and say: I am all about preexisting conditions—and then tell his Attorney General to join in a lawsuit and try to eliminate that protection. That is exactly what is happening at this moment.

Last night, President Trump said he wanted to help people with HIV/AIDS and children with cancer. Who could argue with those goals? But people with HIV/AIDS and children with cancer are some of the people who stand to lose the most if President Trump sabotages the Affordable Care Act.

Let me say a word about the childhood cancer issue. What a heart-breaking, tender moment it was to look up into the Gallery and see that little girl, that 7-year-old girl, who, fighting a brain tumor, was still out raising money for St. Jude's Hospital. It was beautiful, and she was just as pretty and loveable as any child can be as she applauded everyone and had what is clearly the night of her life to be at that joint session. I looked up there, and I am sure every parent and grandparent in the audience saw in her exactly what we love about little children.

Let's be honest about what the President said last night. When he said he wanted to fight childhood cancer, he said how much he would spend. That is an important thing because your values in Congress and in the government are often measured by how much you are willing to invest in your values.

The President suggested that he wanted to spend \$500 million on childhood cancer. That is breathtaking, \$500 million, until you listen to the rest of the sentence—over 10 years, so \$50 million a year. To the outsider, that may seem like a significant amount of money, but in the context of medical research, it is not.

The annual budget for the National Institutes of Health, the major medical research organization in the world, nears \$35 billion; \$50 million against \$35 billion pales in comparison. Look at this. Each year, the National Institutes of Health spends almost \$500 million on childhood cancer. I want to make sure they pay more, spend more, research more.

I thank ROY BLUNT, the Senator from Missouri—Republican Senator from Missouri; LAMAR ALEXANDER, Republican Senator from Tennessee; and, of course, PATTY MURRAY, our champion when it comes to medical research on the Democratic side. What they have done for 4 successive years is have a 5-percent real increase in medical research. That is amazing. That is almost 30 percent more being spent on medical research because this bipartisan team—which I am a cheerleader for—has done that kind of investment.

So when the President talks about, now he is going to tackle childhood cancer, I can't wait to see the next budget for the National Institutes of Health. It is Congress that has been pushing the 5-percent real growth every year, not President Trump.

So, yes, I am glad he is on board for childhood cancer. If we can help that little girl, and so many others like her each year who are battling cancer, we need to do it and put party aside, but \$50 million a year is hardly a moonshot against cancer when it comes to children. If we are going to make a massive investment to make this work, it will take a lot more of an investment than that.

For the past 2 years, President Trump has proposed cuts—cuts—in the National Institutes of Health. Mr. Mulvaney, who is now his Acting Chief of Staff, is pretty good as a budget cutter. He is not very good when it comes to investing in research. He suggested an 18-percent cut and a 6-percent cut to the very Agency responsible for medical research increases. Thank goodness, the team of Senators I mentioned to you earlier ignored the President's request and Mr. Mulvaney's directive to cut spending when it came to medical research. We need to make sure we invest in medical research for the future, finding new cures for diseases and conditions, including childhood cancer and HIV/AIDS.



The basic services of our government are at risk, unfortunately, despite the President's statement last night. You see, the President authored the longest government shutdown—35 days—in the history of the United States, and after he relented and allowed the government Agencies to go back into business and pay their employees—some 800,000 Federal employees—he dangled again the possibility that next week he will do it all over again, shut down the government again, God forbid. We have seen enough of this.

My guest last night was from Illinois. His name is Toby Hauck. Toby is head of the air traffic controllers in our State. We have almost 1,000 or more across our State. When they reached a point of 35 days with no pay, the air traffic controllers announced they would have to slow down air traffic operations across the United States.

I believe that was the decisive moment in the government shutdown. It was shortly thereafter that the President relented and said he will allow the government to reopen again. Now, he says if he doesn't get his way about his almighty wall, he is going to do it all over again. I hope he doesn't. For the good of this Nation, I hope he doesn't. For air traffic controllers, and for people who work at the Food and Drug Administration, the Department of Agriculture, the Environmental Protection Agency, and so many other Agencies, not to mention TSA, I would hate to see them face another period of not being paid while being called into work.

Our national security is at risk at this moment too. When you look for the reasoning behind it, you can see the President's view of foreign policy is part of the problem.

I was glad to stand last night when the President recognized the heroes of World War II. Those three men—in their nineties, I am sure—really were a part of the “greatest generation.” The sacrifices they made for America, the sacrifices they made to defeat the forces of authoritarianism in Germany, Italy, and Japan have left a better world. It also led to the creation of the North Atlantic Treaty Organization after World War II. The nations that were victorious in World War II, led by the United States, came together and said: Our goal is never to have another World War; to stop a war from breaking out again in Europe, as it had twice in the last century. The North Atlantic Treaty Organization was the organization they chose to make sure we were prepared to fight communism or other forces that might lead to war. It has been dramatically successful not just in keeping the peace but in building a community of interest between the United States and Europe, which endures to this day.

I don't disagree with the President. Those who are allies should pay their fair share for NATO, but, clearly, many of those countries in Europe today wonder if the United States still has an

interest in their future, as it once did many years ago. That uncertainty, when it comes to dealing with Russia, is emphasized on a daily basis as we try to understand this President, who one day is admonishing the Russians for failing to live up to a nuclear arms treaty and the next day is ignoring Russia's cyber act of war as it tries to take over the election process in the United States. I can't follow where this President stands when it comes to Russia, and a lot of our NATO allies are curious, too, as to what he is trying to achieve.

It isn't just NATO. Beyond that, we know the President walked away from this nuclear agreement with Iran. He talked about it last night. I couldn't disagree with the President's position more. When we had the major countries on Earth come together and devise a way with inspectors to make sure Iran did not develop a nuclear weapon, that made the Middle East safer; that made Israel safer. The President opposed it from the start. Despite his opposition, President Obama was able to get it through, approved in Congress, and it became the law of the land. When the reports came back, Iran was complying with the nuclear agreement. They weren't developing nuclear weapons. They were destroying centrifuges and other equipment that could lead them to develop a nuclear weapon. Unfortunately, the net result of it was destroyed when the President stepped away from this treaty. Iran still lives by its terms, but we don't know what tomorrow might bring.

The nuclear arms race with Russia is on again because of their violation of a nuclear arms treaty that dates back to President Reagan. Instead of negotiation, we walked out and said we are just not going to live by it anymore. We need to stop a new arms race, and we need to engage China, as the President suggested last night, in that process.

I also want to say the state of our Union sees our planet at risk. This President withdrew the United States from the Paris climate accord, an agreement signed—listen carefully—by every country in the world, but it doesn't include the United States. The rest of the world—those who are political foes and friends alike—came together and said: We have to do something to make sure this planet is loveable for our children and grandchildren but not President Trump. He walked away from that. As a consequence, the United States is not doing what it should to show leadership in this critical life-or-death issue.

Finally, when it comes to America's confidence in our government, it has been shaken by a President who refuses to disclose his tax returns, refuses to be open about his business dealings around the United States and around the world, and, unfortunately, has seen a Cabinet riddled with corruption and conflicts of interest. We have never

seen anything quite like this. In the 8 years of President Obama, there were no scandals that even came close to match what is happening under the Trump administration. Is it any wonder that people are skeptical about their leadership and their commitment to the common good as opposed to their own personal gain?

The last point I will make is our economy. It is true, there are more jobs. We have had economic growth since President Obama brought us out of the worst recession since the Great Depression, and that growth and job creation is a good thing for America. I applaud it. I want to see it continue, but when we had a chance to rewrite the Tax Code in a way to help working families and those who are in the lower and middle-income categories, this Congress and this President did just the opposite, creating massive tax breaks for the wealthiest people in America. I know it is part of the Republican playbook that if the rich can just get a little bit richer, America will be better off, but it is counterintuitive. Too many working families across the United States have seen their wages—their real wages—fall behind, even though productivity and profits in corporations have increased. We have to make sure this is a fair economy when it comes to our workers and our taxpayers. Unfortunately, the President's position on taxes has not helped that in any regard whatsoever.

So last night's State of the Union Address, unfortunately, divided us instead of united us. It didn't point out the real challenges we face and need to deal with. I hope still that we can come together, Democrats and Republicans in the Senate and the House, to deal with the major challenges it faces—the challenges we were elected to confront and deal with.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, I never cease to be amazed how the politics here inside the beltway remind me of two ships passing in the night, where we can all be looking at exactly the same thing and describe it in such remarkably different ways.

I have been amazed at the Democratic leader's negative comments about the President's speech last night, and I listened to comments of my friend the Democrat whip. They found virtually nothing to like about what the President had to say last night.

So I was a little bit surprised to see a CBS News poll that indicates that 70 percent of the viewers approved of what they heard in President Trump's speech last night at the State of the Union, and 72 percent said they approved of President Trump's ideas on immigration, one of the most contentious and divisive issues that faces our country.

One conclusion might be that it is because our Democratic colleagues are simply unwilling to do anything to

work with President Trump and are determined to do everything they can in order to defeat him or that anything that he happens to be for they are reflexively against. That seemed to be what gave us the 35-day shutdown, where NANCY PELOSI said that building a physical barrier along the southwestern border was immoral, even though Democrats and Republicans had routinely voted for fencing, extending the hundreds of miles there in the Secure Fence Act of 2006 and 2008. Barack Obama, Hillary Clinton and Senator SCHUMER, the Democratic leader, all voted for that. Now NANCY PELOSI woke up one morning and decided it was immoral to build any physical barrier at all along the southwestern border.

I agree with those who say the real immorality here is to see the scourge of human trafficking, sex slavery, women and children being held against their will by the traffickers who transfer people up and across the southwestern border. What is really immoral is to stand by and do nothing and watch 70,000 Americans die of drug overdoses last year alone, with a significant amount of that due to opioid addiction, including the 90 percent of the heroin that comes into the United States from Mexico. To me, that is the immorality, not some fence or wall or pedestrian bridge or whatever the physical barrier may be.

I agree with those who were polled in the CBS News poll who believe that what we heard last night from the President was a strong message in his second State of the Union address. Since President Trump took office 2 years ago, the American people have seen real results and a shot of adrenalin has been given to our economy, allowing millions of Americans to get back to work.

Yes, our economy is booming. We have gotten our optimism and confidence back again. Wages are on the rise. People are getting to keep more of what they earn, and middle-class Americans are seeing their paychecks expand.

We have heard the remarkable statistics that people who have disabilities are now reentering the workforce because there is such demand for workers that even people who previously weren't able to find work are now able to get that work.

Yes, in addition to the low unemployment rate, we are seeing minority unemployment and African-American and Hispanic unemployment lower than it has ever been in recorded history. You would think that would be something that people would want to applaud on a bipartisan basis.

But time and again, we saw our friends across the aisle last night sitting on their hands with a grim and sort of discontented look on their face. That is another reason why I think so many people believe that Washington, DC, and what happens here and the politics that take place here are com-

pletely removed and disconnected from their experience across the breadth of this country.

We have done some pretty significant things in the last year together, on a bipartisan basis. We combatted the opioid crisis. We improved our criminal justice system just this last December by huge, overwhelming margins. We repealed taxes on low- and middle-class Americans, known as the ObamaCare individual mandate, punishing people simply because they could not afford the high premiums and deductibles of the so-called Affordable Care Act, and we restored much needed funding to our military in a still very dangerous world and provided an overdue pay raise for our troops.

But President Trump wasn't there just to tout his accomplishments. He was there to assure the American people that we are not going to rest on our laurels. There is still work to be done, and we are eager to get moving. The President offered up some constructive ideas about what that might be: rebuilding America's infrastructure, making healthcare and prescription drugs more affordable, and, finally, eliminating the scourge of HIV over the next decade.

I remember being at the dedication of the George Bush Library at SMU a few years ago, when they had all the living Presidents speaking at that dedication. President Jimmy Carter, surprisingly—to me, anyway—applauded President George W. Bush for saving millions of lives in Africa as a result of the PEPFAR program, providing new, incredible drugs to help reduce and eliminate the scourge of HIV in Africa. The President now wants to do that in the United States, and I applaud him for it.

To address these and other countless challenges before us, the President stressed the need for unity. As much as we would like to, nobody gets everything they want in Congress. In a country where democracy prevails, we know that means that we are going to have to negotiate and compromise, but there are 80-percent solutions that when we see them, we ought to grab them. Just turning on the news or social media, it is easy to think there is more that divides us than unites us as a country, but the President reminded us that citizens of goodwill share the same goal, and that is to build a stronger and better America.

As the President said last night:

There is a new opportunity in American politics, if only we have the courage to seize it. Victory is not winning for our party. Victory is winning for our country.

I hope all of us will answer the President's call to work together to respond to the better angels of our nature and to build on the successes of the last 2 years for the benefit of all the American people.

#### NOMINATION OF NEOMI RAO

Mr. President, yesterday, we had the Judiciary Committee hold a hearing to consider an important nomination, and

that is of Neomi Rao to the Court of Appeals for the DC Circuit, what some have called the "second highest court in the land." This is the seat, of course, that has been vacated by the elevation of Judge Brett Kavanaugh to the U.S. Supreme Court.

Ms. Rao is currently the Administrator of the Office of Information and Regulatory Affairs, an obscure but important Agency—probably the most powerful Agency nobody has ever heard of here in Washington, DC. She was confirmed to that position on a bipartisan basis in 2017, and since taking the helm at OIRA, Agencies have reduced regulatory costs by more than \$23 billion, which has been another spur to the American economy.

Ms. Rao is currently an associate professor at the Antonin Scalia Law School at George Mason University and a leading scholar in the field of administrative law.

Through her career, Ms. Rao has served in all three branches of the Federal Government. She clerked for Justice Clarence Thomas on the Supreme Court and Judge Harvie Wilkinson on the Fourth Circuit. She served as an Associate Counsel and Special Assistant to President George W. Bush, and she has also worked here in the Senate as a counsel for the then-chairman of the Judiciary Committee, our friend, Orrin Hatch.

Suffice it to say that she has a vast understanding of the workings of the Federal Government, as well as the rulemaking process. In a court that frequently hears challenges to Federal regulations, her unique experience and knowledge of administrative law will be an incredibly valuable asset.

Unsurprisingly, I am not the only one who holds that view. Two dozen former Supreme Court clerks who worked alongside Ms. Rao sent a letter to the Judiciary Committee touting her qualifications. They noted:

Many of us have worked in government, at both federal and state levels, some for Democrats and some for Republicans.

They went on to say:

While our professional and personal paths have thus diverged, one of the things we have shared is admiration for Neomi. We are confident she will serve our country well on the D.C. Circuit.

We have seen similar letters from her classmates at both Yale and the University of Chicago Law School, as well as from her former students.

Adding to the list of her glowing recommendations, Ms. Rao has received a unanimous "well qualified" rating from the American Bar Association. My colleagues, Senator SCHUMER from New York and Senator LEAHY from Vermont, once referred to this rating as "the gold standard by which judicial candidates are judged."

But despite her outstanding qualifications, Ms. Rao has faced some unconvincing attacks by opponents of this administration. I am convinced that some of our colleagues would oppose any judicial nominee by this

President just because they were nominated by President Trump.

On Monday, the day before her hearing, I was surprised to see a headline from POLITICO. The story was entitled: "Dems hope to draw blood from potential Trump SCOTUS pick." What they were referring to, I assume, is that Ms. Rao, as qualified as she is and nominated for the court of appeals, once confirmed, she could possibly in the future be a candidate for the U.S. Supreme Court. So the goal is to rough her up now, tarnish her reputation the best you can, in preparation for that potentiality in the future.

This is not entirely surprising, but it is regrettable. Before we even had a chance to hear from the nominee and discuss her qualifications for a circuit court seat, some on the other side are sharpening their claws, and the special interests are unfairly trying to undermine her nomination. This war being waged against Ms. Rao is not because she is unqualified for the job, but it is because some fear her commitment to the rule of law and speculate, as I said, that someday she might be a nominee to the U.S. Supreme Court.

A Wall Street Journal editor last week warned that Ms. Rao might get "Kavanaughed." That is a new verb. It used to be called to get "Borked," after Robert Bork. But of course, they said she could get "Kavanaughed" because of her writings in college newspapers more than two decades ago. So the term "Borked" has now been supplanted by the term "Kavanaughed" as a description of the scorched earth tactics of the radical left.

A young conservative at the time, her biweekly column for the Yale Herald was called "Against the Current," and it challenged the politically correct, although poorly reasoned, views of some of her classmates at the liberal Ivy League school. I guess, when you consider what happened to Brett Kavanaugh, at least we moved on from high school yearbooks now to things that somebody has written in college. I don't know whether that represents progress or not.

Ms. Rao has said repeatedly, however, that she no longer holds the same views she held more than 20 years ago. That is called growing up and maturing. In any event, she said she wouldn't substitute her personal views for the laws of Congress or the precedents of the Supreme Court. Of course, the flimsy suggestion is that these articles are enough to deny her a seat on the Federal bench. The left's attempt to block this qualified nominee by any means necessary reminds me of a comment made by Judge Kavanaugh during his confirmation hearing.

He noted that many members of the committee are taking our job of "advice and consent" to mean "search and destroy." We have before us a highly qualified nominee with an almost unparalleled understanding of administrative law. She has received positive remarks from the American Bar Asso-

ciation, the so-called gold standard for nominees. She enjoys high praise from former colleagues and students who represent both liberal and conservative viewpoints.

I hope our colleagues can look objectively at these endorsements and all she has accomplished during her career rather than follow the radical voices down some rabbit trail. I believe Ms. Rao is exceptionally qualified for a seat on the DC Circuit Court, and I thank her for answering the call to serve despite the divisive political times in which we live.

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Mr. President, on a final matter, I am pleased that the Senate will begin consideration of the Natural Resources Management Act. This package contains more than 100 individual land bills that enjoy broad bipartisan support, with nearly 90 Senators cosponsoring various components. I believe the bill will create positive changes at the State, Federal, and local levels by improving public lands management and allowing for greater public use of America's beautiful landscapes.

I have worked with my colleague Senator CRUZ and members of the Texas delegation in the House to ensure that two bills we introduced last Congress were included.

First, the Lake Fannin Recreation Area Conveyance Act would reduce the Federal estate in Texas and restore local control of more than 200 acres in Fannin County. The residents of Fannin County know better than the Federal Government how to care for the land, and this will allow them to utilize this land for public recreation purposes.

Also included is the Red River Gradient Boundary Survey Act, which will protect private property along the Red River, which separates Texas from Oklahoma. This will deliver certainty for Texas families who live and own land along the Red River that the Federal Government has no rightful claim to their property.

I am glad we will have the opportunity to vote on this package, which will make responsible changes to Federal land management and benefit Texans.

Mr. President, with that, I yield the floor.

The PRESIDING OFFICER (Mr. ROMNEY). The chair recognizes the Senator from Hawaii.

#### NOMINATION OF NEOMI RAO

Ms. HIRONO. Mr. President, as a fellow member of the Judiciary Committee, along with my colleague from Texas who just spoke, it is not our job as members of this committee to cast aspersions on the motives of those of us who ask probing questions of judicial nominees for lifetime positions. Many of these nominees have very strongly held and long-held views on a number of issues that may come before them as judges, and the probing questions we ask go to whether they can separate their ideological and personal

views when they are confronted with issues they have taken public positions on and whether they can be fair and objective and follow the rule of law. Those are the kinds of probing questions we ask.

I hope that when my friend from Texas mentioned that some of us seem to—that many of us on this side of the aisle will not vote for any nominee from this President, I certainly hope he wasn't referring to me because I have, in fact, voted for a number of those nominees.

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Mr. President, having clarified that, I want to talk about the Natural Resources Management Act that is coming before us. This is a great example of what the Senate can accomplish when we come together on a bipartisan basis to get things done.

Although we certainly have disagreements on energy and climate policy, a broad bipartisan consensus supports strengthening and expanding conservation programs like the Land and Water Conservation Fund—better known as LWCF—a program whose transformative impact is felt in every State in the country.

Over the past 50 years, the LWCF has provided nearly \$250 million in funding for Hawaii to protect some of its most cherished public spaces, including Hawaii Volcanoes National Park, Hanalei National Wildlife Refuge, and the Ala Kahakai National Historic Trail. LWCF funding has also gone toward protecting State and private forests, as well as efforts to protect our native species and watersheds.

I saw the benefits firsthand last April when I joined Keith Unger and his family for a blessing ceremony to mark the sale of the McCandless Ranch to the U.S. Fish & Wildlife Service. Financed through the LWCF, the \$22 million purchase significantly expanded the Hakalau Forest National Wildlife Refuge on Hawaii island.

After a slow, 45-minute ascent up the slopes of Mauna Loa, I saw a beautiful property that the McCandless family had faithfully stewarded over six generations and 100 years. According to Keith, the property's forests "represent some of the most intact and pristine native forests in the state and provide habitat to many of Hawaii's unique flora and fauna."

During the time I spent with Keith and his family, their passion for the land and the plant and animal species that call it home was quite evident. Keith shared his family's efforts to conserve and rehabilitate the alala—the critically endangered Hawaiian crow. The McCandless Ranch was the last place the alala was seen in the wild.

In the late 1990s, the McCandless Ranch entered into a conservation partnership with the Fish & Wildlife Service to protect the alala. When Keith decided to sell a portion of his land years ago, he wanted to find what he called a "like minded buyer, someone who would continue our legacy of

conservation and well managed forests. This was easier said than done. The majority of our buyer prospects were loggers or developers.” Keith and McCandless Ranch began talking with the Fish & Wildlife Service about selling a portion of their property to add to the national wildlife refuge. Through his past experience working with the Agency, he “knew that their conservation philosophy aligned with ours.”

The Fish & Wildlife Service began seeking money to acquire the property in 2011 and made it their top priority for acquisition in the Pacific region for fiscal years 2013 through 2015. Funding to acquire the McCandless Ranch became possible because of the collaborative work to develop the State of Hawaii’s “Island Forests at Risk” proposal. Developed through engagement with a wide range of stakeholders, “Island Forests at Risk” was a comprehensive proposal to protect endangered or threatened species, safeguard water resources, improve ecosystems, and preserve Native Hawaiian cultural resources. This proposal included a number of land acquisitions to add to existing national parks and wildlife refuges in Hawaii, including the McCandless Ranch addition to Hakalau.

In addition to Federal land management agencies such as the National Park Service, the Fish & Wildlife Service, and the Forest Service, “Island Forests at Risk” incorporated input and perspectives from Hawaii’s State agencies, such as the Department of Land and Natural Resources, local organizations, such as The Nature Conservancy Hawaii and The Trust for Public Land, and local landowners, such as Keith Unger with the McCandless Ranch.

Beginning in fiscal year 2016, after many meetings between myself and the principals overseeing the LWCF proposals, Hawaii’s land acquisition within “Island Forests at Risk” began to receive Federal funding. Between fiscal years 2016 and 2018, nearly \$40 million was awarded to acquire land to add to Hawaii Volcanoes National Park, Haleakala National Park, and Hakalau Forest National Wildlife Refuge.

In addition to facilitating the purchase of land such as the McCandless Ranch, the LWCF also funds the Fish & Wildlife Service’s Cooperative Endangered Species Conservation Fund. In Hawaii, we have over 500 threatened and endangered species—more than any other State. One-third of all endangered birds in the United States are found in Hawaii. LWCF funds are essential for protecting and reintroducing these species, including the alala.

The LWCF also funds the Forest Legacy Program, which helps States and private owners protect and enhance forest habitats. The program has leveraged over \$22 million of Federal funding for Hawaii’s forests over the past 50 years.

Most recently, the Forest Legacy Program helped facilitate the acquisition of the Helemano Wilderness Area on Oahu. This land includes high-quality native forests that are home to the endangered Hawaiian hoary bat and a watershed that is a primary source of drinking water for one-third of the people on Oahu.

Program funding will facilitate invasive species’ removal and reforestation. It will also provide public access to hunting and camping areas, which are limited on Oahu. Oahu is the island on which the majority of the people of Hawaii live. Eighty percent of the people live on Oahu.

Forest protection and conservation are particularly important as we face the threat of catastrophic climate change. Protecting these lands and forests can help mitigate climate change by absorbing carbon dioxide, cooling the Earth, and regenerating our watersheds.

Aside from helping mitigate climate change, the LWCF provides numerous downstream benefits to local economies. In 2003, for example, the LWCF funded the \$22 million addition of Kahuku Ranch to Hawaii Volcanoes National Park—almost doubling the park’s size.

Hawaii Volcanoes National Park is a pillar of our tourism economy in Hawaii. It contributes nearly half a million dollars every day—or \$166 million annually—to the economy and attracts approximately 2 million visitors per year. That is just one park—Hawaii Volcanoes National Park.

Aside from the LWCF, Hawaii Volcanoes National Park has also benefited from programs and organizations like KUPU that educate and inspire youth to become stewards of our natural resources. KUPU provides hands-on training for youth in the areas of conservation, sustainability, and environmental education. It has also placed youth workers within various units of the National Park System in Hawaii to conduct trail repair, vegetation management, interpretation, et cetera.

The 21st Century Conservation Service Corps bill included in the Natural Resources Management Act that will come before us supports programs like KUPU that seek to nurture the next generation of environmental stewards.

In testimony before the Energy and Natural Resources Committee last Congress, KUPU CEO John Leong spoke to the transformative impact of participating in a conservation program. He cited two inspiring examples of Corps members who have gone on to do meaningful work in the environmental and conservation space. He shared the story of John Brito from Molokai, who was awarded the White House Champion of Change Award in the years following his participation in KUPU programming and who has since chosen a career in conservation. Another KUPU Corps participant, Justine Espiritu, recently helped to launch Honolulu’s popular and revolutionary Biki bike share.

More adults in Hawaii and across the country will have their own transformative experiences if we pass this legislation.

The Natural Resources Management Act also includes legislation Senators MURKOWSKI, CANTWELL, and I passed last Congress to improve our country’s capacity to monitor and respond to volcanic activity across the country.

Last year, the Hawaii Volcano Observatory, HVO, was instrumental in studying and responding to the 3-month-long eruption of Kilauea on the Big Island. The eruption devastated a number of communities, destroying more than 700 homes and displacing thousands of people, including United States Geological Survey staff and scientists who operated out of the HVO facility in Hawaii Volcanoes National Park.

Over the coming months and years, impacted homes, farms, and even the observatory will need to be rebuilt.

At the same time, it will be critically important to have the most updated monitoring and communications technology to alert and protect impacted communities from future events.

Our legislation will unify and connect the Hawaiian Volcano Observatory with the other four observatories across the country into one national volcano early warning system.

It will also create a volcano watch office that will operate 24 hours a day, 7 days a week, to provide continuous situational awareness of all active volcanos in the United States and its territories, including Kilauea and Mauna Loa volcanoes on Hawaii island.

Our legislation will also create a grant program for the research and development of emerging technologies for our volcano monitoring.

During yesterday’s cloture vote, the Natural Resources Management Act earned the support of 99 out of 100 Senators. I don’t know what happened to that lone Senator, but we need to bring that person in. I am eager to vote on its final passage as soon as possible.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

#### FAIRNESS FOR EVERY DRIVER ACT

Mr. BARRASSO. Mr. President, today U.S. taxpayers are subsidizing the electric car industry. The cost to these taxpayers is billions of dollars, and the subsidies have lasted now for nearly 30 years.

In 2008, Washington added a tax credit for purchases of electric vehicles. The market was very small at that time, and it was worth encouraging that market, but today the electric market for vehicles is well established. The auto industry no longer needs these pricey subsidies for electric vehicles, and I believe it is time to pull the plug on subsidies for electric vehicles.

Leading manufacturers, including General Motors, Ford, and Volkswagen, have announced plans to massively increase investment in the electric vehicle market. Global automakers are

promoting electric car luxury brands, such as Bentley, Aston Martin, Maserati, Porsche, and Cadillac, but with these new electric vehicles coming to the market, the subsidy program is going to continue to run at an enormous cost to American taxpayers.

Congress first passed legislation to provide subsidies for electric car buyers back in 1992. The purpose was to temporarily support a promising, environmentally friendly market. For decades now, Washington expanded this program of tax credits. At the same time, many States enacted similar subsidies.

Between 2011 and 2017, electric car buyers received more than \$4 billion in Federal credits alone, costing taxpayers up to \$7,500 for each vehicle. This program disproportionately subsidizes wealthy buyers because nearly 80 percent of the tax credits go to households earning at least \$100,000 a year. Well, these car buyers don't need a taxpayer subsidy.

The program has served its purpose, and I say that because today a million electric vehicles travel our highways. The global demand for electric vehicles is rising as well. Now nearly every automaker is entering the market. In fact, the U.S. Energy Information Administration projects that sales of light-duty electric vehicles will reach 4 million vehicles by 2025.

So here is exhibit A. This past weekend was Super Bowl weekend. They had so many commercials, and it cost about \$5 million to run an ad during the Super Bowl. Well, the automaker Audi ran a commercial saying that by 2025 one-third of their cars—one out of every three cars—will be an electric vehicle. So I use that as exhibit A to say this market is firmly established. As a matter of fact, this market is positioned for expansion—which means so will the cost of subsidies. I believe it is time to take taxpayers off the hook.

I have introduced legislation, the Fairness for Every Driver Act, and it is to end the electric vehicle subsidy program. My legislation has three key goals; first is to save taxpayers billions of dollars through the subsidy program; second is to help maintain our aging roads and bridges; and the third is to reduce wasteful Washington spending. According to the Manhattan Institute, ending this subsidy will save taxpayers an estimated \$20 billion dollars—\$20 billion.

The electric car market can thrive without Washington subsidies. We see it is thriving. It is growing. Nearly every State now provides its own subsidies and added incentives.

California even mandates the percentage of cars that must be zero emission. This category is almost exclusively electric vehicles. In 2017, Californians purchased 95,000 electric vehicles. Now, residents in my home State of Wyoming, where distances are long and recharging stations are few, purchased only 51. Hard-working Wyoming taxpayers shouldn't have to subsidize wealthy California luxury car buyers.

Ending the electric car subsidies isn't just about saving taxpayers dollars, it is about our shared responsibility to maintain our highway system. The highway trust fund is depleted. The highway trust fund pays for road and bridge projects. Its main source of funding is the Federal gas tax.

Drivers of gas- and diesel-powered vehicles pay this tax every time they pull up and fill up at the pump. Electric car drivers never pay these fees. Although a Tesla puts as much strain on the highways as a Ford Focus, the Tesla driver pays next to nothing to fix the roads.

Without congressional action, the highway trust fund will be exhausted by 2021. This legislation ensures all drivers pay their fair share to improve America's roads. It establishes an annual highway user fee for these alternative fuel vehicles. Comparable to the gas tax, this user fee will result in billions of dollars over the next decade to fund needed road projects.

All drivers use the roads. All drivers should contribute to maintaining them. Electric cars are here to stay. The market is poised for growth, with or without the subsidies. Congress should pull the plug on this program. It is time to end this subsidy. It is time to stop wasting taxpayer dollars, and it is time to level the playing field for all drivers when it comes to repairing our roads and bridges.

It is time to pass the Fairness for Every Driver Act.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, I am delighted to follow on the floor the chairman of the Environment and Public Works Committee, who is now hastening for the exit before I can say nice things about him. I want to say he represents Wyoming. We have a place called Wyoming in Delaware just south of Dover—Camden Wyoming—and I go there every week, just as he goes home to Wyoming every week.

His colleague from Wyoming is MIKE ENZI, whom our new Presiding Officer, a former Governor, is well familiar with. MIKE ENZI had something called the 80-20 rule, and the 80-20 rule goes something like this. I used to ask him: How do you get so much done with Ted Kennedy on the HELP Committee, that you now serve on, Mr. President, and he said: Ted and I agree on 80 percent of the stuff. We disagree on 20 percent of the stuff. He said: Ted and I focus on the 80 percent where we agree and we set aside the other 20 percent to another day.

So I want to just talk about the 80 percent Chairman BARRASSO and I agree on and then maybe the 20 percent we can agree to disagree until another day. I appreciate your staying here, but you don't have to. I know you have better things to do than to listen to me.

Something that is being lost in this conversation is, at least to this point

in time, there is a reason we have a policy that encourages people to buy electric-powered vehicles. There is a reason we have a tax policy and other policies to encourage people to buy fuel-celled powered vehicles that are fueled by hydrogen. The reason why is because we have way too much carbon dioxide in the air, and it is creating great challenges for these young pages who are sitting down here at your feet, Mr. President. They have a planet to worry about. I will be around for maybe 30 years or more, but I will not be here in the Senate, I assure you, for 30 years or more. They are going to be around here for, gosh, 70, 80, 90 years or more, and they have to worry about this planet, and we have to worry about this planet for them and for our own kids and, eventually, hopefully, for my wife and me, our grandchildren.

We want to make sure they have a planet to live on and to grow up on, and we have way too much carbon, and if we are not careful, it is going to continue to get worse rather than better.

Here recently, just in the last several months, we have had 13 Federal Agencies that have come together to say the situation is even more dire with respect to the threat of climate change, global warming, severe weather than we thought. A month or so before that, an arm, if you will, of the United Nations had a similar kind of report, and the forecast was equally daunting and really frightening.

So the reason we are trying to encourage people to buy electric-powered vehicles and to buy hydrogen-powered vehicles is to reduce carbon in the air.

Why do we care about cars, trucks, vans, and their emissions? The largest source of carbon emissions in this country today is not coal-fired utility plants. It is not cement plants. It is not our buildings. It is our vehicles, our mobile sources, and so that is why we focus on these issues.

The question of whether we need tax incentives forever, permanently, for electric vehicles, I think you can argue we probably don't. The battery technology in this country and this world is getting better and better.

I just want to say to the Presiding Officer who was from Massachusetts and was the Governor there for a number of years, there is a company there—and I think they are still in the Cambridge area—A123 battery, and they are one of the earlier pioneers in battery technology for vehicles and others.

My son actually was offered an internship there when he was at MIT one summer. So we have been interested in this industry for quite some time.

I go to the Detroit Auto Show just about every year. People ask: Why do you go to the Detroit Auto Show? Up until about 6, 7, 8 years ago, Delaware built more cars, trucks, and vans per capita than any State in the Nation. Think about that. More cars, trucks, and vans per capita than any State in the Nation.

We had a Chrysler plant at one time—4,000 employees in Newark, DE, near the University of Delaware. We had a GM plant—4,000 employees at one time,—very close to Wilmington, DE. We lost them both, like that, at the bottom of the great recession when Chrysler and GM went into bankruptcy, which was a huge blow to the economy of a small State, as you can imagine.

The reason I used to go to the auto show all the time in Detroit was so I would know whoever was running GM, I would know who was running Chrysler, so that if they ever thought about closing our plants, we would have somebody to call and to go see and say: You don't want to do that. We lost them both at the bottom of the great recession.

The reason I tell that story is to explain why I have an interest in the Detroit Auto Show. Eleven years ago at the Detroit Auto Show, at the beginning of the auto show on Monday—it is about a 5-day event—they have what they call the reveals, and they show all the new cars and the concept cars and everything, all the new technology. Eleven years ago, the car of the year was a Chevrolet Volt, V-o-l-t. The Chevrolet Volt is a classic hybrid. You get about 38 miles per gallon on a charge, and then it ran on gasoline for the rest of maybe 300 miles. That was the car of the year, and they sold a number of them but not huge numbers—not huge numbers.

Ten years later, about a year ago, the car of the year was the Chevrolet Bolt, B-o-l-t. The Chevrolet Bolt is a classic electric vehicle, and it gets about 140 miles—or it did at the time when it was debuted—about 140 miles on a charge, and now more than that, I think.

When I was at the Detroit Auto Show last month, we saw electric-powered vehicles from American car companies, Korean car companies, Chinese companies that get up to 250 miles per charge—250 miles per charge. That is encouraging. What it is going to do is encourage a lot of people who hadn't even thought about buying them to do that.

One of the reasons folks are still reluctant to buy them is because when you drive around the country and you have your electric vehicle or a hydrogen-powered vehicle for a fuel cell, when you are driving around, you need a place to refuel and to recharge, and you can't take the time—well, I have 6 hours to recharge my battery. People don't want to do that. They might be willing to spend 30 minutes to do that and grab something to eat, but they want to be able to recharge their batteries conveniently. They may want to refuel with hydrogen conveniently, but we don't have nearly enough places around the country. We are trying to create new corridors, densely populated corridors, places to recharge batteries and to refuel hydrogen tanks, but we have a lot of work left to do.

So you put that in sort of the mix. I think not just as Americans but as inhabitants of this planet we want to reduce carbon emissions from the largest source of carbon emissions on our planet—mobile sources.

Among the incentives for that right now—I am looking for a new car.

In my minivan, my Chrysler Town & Country, which I bought the year I stepped down as Governor, I just went over 498,000 miles this week. I promised my wife that I would buy a new vehicle when this one went over one-half million miles. I want it to be an electric vehicle, and I want it to have a great distance between charges. I want to make sure we have a lot of charging stations around, not just in Delaware but all over the country, so I can refuel that baby when I save enough money to buy it.

We have this tax credit in place for the first people who buy these cars, and then, basically, we need to make sure we have an investment tax credit around for a good while, and maybe phase it out over time, in order to encourage people and businesses and so forth—like Wawa, for example, and other gasoline stations—so they will be putting in their own money to put in those hydrogen fueling stations and the electric charging stations.

Why is this important? Here is why it is important. We used to measure our rainfall in the country by the inch; we now measure it by the foot. I was speaking with a farmer earlier today, and he told me that last year in Delaware we had twice as much rain as we normally have. They planted their crops in the spring. We raise a lot of soybeans and corn in Delaware. They planted a good crop in spring, and it was washed out. They came back after it dried out and planted a second crop again, and a couple weeks later, it got washed out from the rain, and again the third time. Finally, they just kind of gave up. They gave up, and that is not a good thing.

We had wildfires out in the great Northwest—Northern California, Oregon, Washington, Montana—this last year that were bigger than my State of Delaware.

Right here in Ellicott City, in Maryland, where they have—have you heard of the term “100-year flood”? A 100-year flood is something that occurs about every 100 years. A 500-year flood is something you would expect to occur every 500 years. In Ellicott City, MD, in the last year or so, they had two 1,000-year floods. Think about that. These are floods that are supposed to occur every 1,000 years. They had two of them in 18 months. That is not good.

It is not just Ellicott City; it happens in other places as well. We have had more category 5 hurricanes than we have ever seen. I think the last 4 years have been the hottest 4 years on our planet. We know that climate change is happening, and this is real. We see the vestiges every day, and we need to do something about it and continue to do more about it going forward.

The good thing about it is, we can do more about it and create economic opportunity. We can reduce bad emissions from cars, trucks, and vans and create economic opportunities.

The auto industry in this country has basically let it be known that they would like to see the regulation put in place by the Obama administration about 3 years or so ago on fuel efficiency standards for cars, trucks, and vans. The auto industry says: You know, we would like to have some flexibility on those standards so that the monitor requirement gets more stringent going forward under the Obama regulation. Other companies have said they would like to have greater flexibility in the near term, maybe 2021 to 2025, and the Obama regulation was silent after the year 2025. They said: We would be willing to handle greater, more rigorous standards going forward after 2025, but give us flexibility in the near term.

I think that is not a bad idea. They say that if we will do that, they can avoid a lawsuit with California and 12 other States that want to make sure California and other States have the ability to set their own fuel efficiency mileage requirements.

The auto industry doesn't want to be involved in litigation with California or anybody else in the next 5 years. They ought to have certainty about the fuel efficiency standards their cars, trucks, and vans are going to have to meet in the years to come. The reason is that they need to make huge investments, and they need a long lead time for these investments. They are competing in an international marketplace against the rest of the world. The rest of the world is going to be willing to produce very efficient electric-powered and hydrogen-fueled cars, and they want to be able to compete with them.

So here is a situation where we can do good things for our planet—clean our air with respect to climate change—and we can do good things for the auto companies.

(Mr. SCOTT of Florida assumed the Chair.)

I see our new Presiding Officer, who just slipped into his seat. He used to be a Governor, and he used to do a lot of customer calls in Florida. I have done a lot of customer calls in Delaware, asking my businesses three questions: How are you doing? How are we doing? What can we do to help?

When I ask the auto manufacturers what we can do to help, they say: Don't get rid of the electric vehicle credit. The idea of phasing it out over time might be OK—not overnight but over time.

The other thing is to make sure we put in place investment tax credits for fueling stations for hydrogen and charging stations for electricity.

The current administration does not take the threat of climate change and severe weather as seriously as the rest of us. In my State we see it every day. Delaware—which, you know, may be 70,



80 miles to our east—is the second smallest State. I like to say it is the 49th largest State in America. But we are sinking, and the seas around us are rising. If you go down the east coast as far as Florida, you will find that in Florida, especially southern Florida, they have similar kinds of problems and concerns. This is real.

What should we do about it? Well, the current administration should not lead a fight, in my judgment, to get rid of the current regulations that I described earlier and put in its place a regulation that basically says there will be little to no increase in fuel efficiency standards as we go forward. I just don't think that is smart, and, in the auto industry, that is not what they are asking for. They are asking for near-term flexibility, longer term certainty, and more rigorous standards. They think that would be good for their bottom line, and they could sell more vehicles.

We had a committee hearing yesterday—actually a markup and business meeting in the Environment and Public Works Committee for the nomination of Andrew Wheeler to be the Administrator of the EPA. We haven't had a Senate-confirmed Administrator for just over—about 1 year, maybe a little more than 1 year.

Scott Pruitt was the first EPA Administrator for this administration—not a friend to the environment and someone who turned out, I think, to be ethically corrupt. He is gone, and Andrew Wheeler is the Acting Administrator. He has been nominated by the President to be the Administrator for the EPA.

I didn't realize this a couple months ago, but when somebody is in a position like this, when they are the assistant administrator—in this case the EPA—and the person who leaves as the Administrator leaves a vacancy, the President can appoint the assistant administrator as the Acting Administrator. It is kind of like a promotion but in an acting form. That is good for 210 days. Sometimes you may have a situation in which someone is not the assistant administrator of the EPA or an Agency but is just plucked out of the air by the President and plopped in as the Acting Administrator. That person doesn't have 210 days—a period in which they can stay there and do the job as Acting Administrator. Andrew Wheeler does. For all intents and purposes he will be the Administrator in an acting capacity for 210 days.

So we are saying to the administration, to our colleagues on the Environment and Public Works Committee, there is no real need to rush through the nomination until we resolve our differences in a couple of areas, and one of those areas deals with emissions from mobile sources, the greatest source of carbon in our air.

Another issue we have a lot of interest in—the automobile industry does; so does the utility industry; so does the

Chamber of Commerce—is a regulation from the last administration that was actually promulgated in 2012. It is called MATS, mercury and air toxics standards. The mercury and toxics standards regulation, basically put in place in 2012, says to the utility industry: You have to reduce your emissions of mercury by 2050.

Why do we care about mercury emissions? Because if you are a pregnant woman and you ingest fish with large amounts of mercury, you may do serious damage to your unborn child. It can also do serious damage to the life of the woman, but the real concern is brain damage for unborn children because of high levels of ingestion of mercury by pregnant women of child-bearing age.

We are not talking about something that affects 100 or 1,000 women a year. We are not talking about tens of thousands but literally hundreds of thousands of people who are at risk. So we have in place a MATS mercury and air toxics rule. It was adopted in 2012. The utility companies initially said: Well, we don't like that. We don't want to do that.

Guess what. They did—and at one-third of the cost they expected. It was implemented more quickly than they expected, and the health benefits are greater than they expected.

Now the utility industry, including the rural electric co-ops, including their trade association for utilities, chamber of commerce, National Association of Manufacturers, a whole host of environmental groups and clean air groups—everybody said: Well, we know this MATS rule, the mercury and air toxics rule we are familiar with, and we are complying with it. It is OK. Leave it alone.

The current administration wants to take some steps that would really undermine the ability to uphold that 2012 regulation in a court of law. They are saying they are not doing that, but actually that is the effect of what they are trying to do.

In order to move expeditiously on the nomination of Andrew Wheeler to be the Administrator of EPA, we want to make clear that the mercury and air toxics standards rule does not go away. We are going to comply with what the industry has asked us to do.

The third front I will mention is HFCs—we are really good with acronyms—hydrofluorocarbons. We have refrigerants, and we all have air conditioning in our cars and homes—most of us. We used to use perfluorocarbons in the cooling systems, in our refrigerator systems. They have created real problems for the environment and the atmosphere.

The follow-on product was called HFCs, hydrofluorocarbons. We found this was better for the atmosphere, better for the environment—but not great—and American companies, American technologies have come up with another product to replace HFC. That form of technology is American-owned,

and American technology creates American jobs.

We need to adopt and pass a treaty in this country called the Kigali treaty, which makes it clear that the current HFCs, which are coolants for refrigerants, are still a problem, but they can be phased out, and this new technology by American companies can be phased in to take its place. This involves job creation in this country. We are not talking about a couple of hundred jobs; we are talking about thousands of jobs—good-paying jobs in this country, bringing economic value to American companies—not measured in millions of dollars but billions of dollars every year. It is there for us.

This is a situation in which American technology can do good things for our environment, for our atmosphere, for our air, and at the same time create jobs, American jobs using American technology.

I might mention one more, something called—and I just want to say that the EPA is standing in the way of the administration's submitting for our approval in the Senate this treaty called the Kigali treaty. Apparently, the State Department wants to submit the treaty for our consideration. The Commerce Department wants to submit the treaty for our administration, and the EPA is standing in the way. I don't really understand why, but before we move expeditiously on the nomination of Mr. Wheeler, the administration should say: OK, we are not messing with the treaty.

Most of the administration thinks they ought to submit it, and, frankly, so do the rest of us. It is one of those deals, again, that is good for environment, good for public health, creates jobs—win-win.

The last one I want to mention is PFOA. I wish I can tell you what it stands for, but it is a long name. One of the things we found out is that in places where we have military bases—where we have firefighting equipment for planes, air crashes and so forth, and we use that type of firefighting equipment—sometimes the water runs off the tarmac, off the runways and the parking areas, and it gets into groundwater and creates problems with our drinking water. These are substances that are known carcinogens, and we have seen in places around the country—including places like West Virginia, where I was born, and North Carolina, where my wife is from—this is a real problem. We are not saying—nobody is saying, at least to my knowledge—that it ought to be completely banned. This family of elements, the PFAS and PFOA—we are not asking for a ban; we just want a clean water drinking standard established by the EPA. That is what we want in 2 years—not today, not tomorrow, but in 2 years, creating clean water so that people can be protected.

Those are four things we are asking for the administration to take action on and to make clear. To the extent it



does, we are then prepared to move forward on the nomination, right here, for Andrew Wheeler. My guess is, he will get confirmed, but I think it is important for us to address those particular issues.

At the end of the day, we will improve the quality of life for the people in our country. At the same time, we will create jobs. That is a great combination. It is a real win-win. We can seize the day and win on behalf of our young people and our not so young people. At the same time, we can create a lot of jobs and enhance economic activity. We ought to do that. If we do, the EPA will end up with an Administrator—one who will be a lot better than the last one. Let's do that.

I thank the Presiding Officer.

I yield to my friend, the chairman of the Finance Committee, Senator GRASSLEY.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

REMEMBERING ERNIE FITZGERALD

Mr. GRASSLEY. Mr. President, I pay tribute to an extraordinary American. I stand here today to pay my respects to a World War II veteran who dedicated his life to public service.

After serving his country in uniform in the Navy, this gentleman from Alabama served the American people as a civil servant. For more than four decades, he was a tenacious watchdog who chased down fraud, waste, and abuse at the Pentagon. A hero for taxpayers and a war hero against waste, Ernie Fitzgerald recently passed away at the age of 92. I, today, sing the unsung praises of this remarkable champion of whistleblowers.

He was a fiercely independent watchdog. He was one of the rarest of breeds. He brought an uncommon devotion to his work. He prevailed against the muzzles of many of his handlers whom he called "over-dogs." They used to try and silence him. He prevailed over those muzzles—it didn't work—because when Ernie sniffed wrongdoing, he would sink his teeth in and never let go. He was a bulldog. His superiors squirreled him away in a farflung cubbyhole at the Pentagon. Basically, they exiled him to the Pentagon's attic. The big dogs at the Pentagon didn't want this watchdog's work seeing the light of day.

As Americans, we are blessed to have constitutional protections for freedom of speech and freedom of the press. These beacons of liberty worked to Ernie's advantage. Our system of checks and balances also helped to make sure wrongdoing was never swept under the rug.

Throughout my public service, I have paid close attention when I have gotten a whiff of wrongdoing. I have learned that a pervasive stench is often not far behind. As a lifelong Iowa farmer, I know what a load of manure really smells like. So when I ran into a bit of institutional gridlock in my efforts to freeze the defense budget back in the early eighties, I wanted to talk to a

pair of analysts at the Pentagon. Their efforts exposed the Federal money hose that showered unbridled tax dollars over bloated defense contracts.

Ernie Fitzgerald and a fellow named Chuck Spinney aren't household names, of course, but their crusade to fix the fiscal mess at the Department of Defense has inspired this Senator to conduct robust oversight over the last four decades. Ernie's body of work has helped me to derail the Pentagon's gravy train.

Do you remember back three decades ago—and there are probably examples today—when there were \$450 hammers, \$640 toilet seats, and \$7,600 coffee pots? Those were real items, and those were real figures. Those pricetags for spare parts gave taxpayers sticker shock and ought to have for good reason. Americans know the price of everyday household items. They sure know what a hammer or a toilet seat costs at their local hardware stores.

As Ernie Fitzgerald explained, Americans aren't expected to know what a B-1 bomber or an F-15 fighter should cost, but when you add all of that up, you get a boondoggle of "overpriced spare parts flying in close formation." Those were Ernie's words. Ernie's fiscal forensics uncovered mountains of mismatched receipts and invoice gaps that left taxpayers footing the tab for rampant waste and unchecked spending sprees. Ernie Fitzgerald was a sleuth for truth. His quest gave Pentagon officials heartburn. His work gave me the leverage I needed in Congress to enact an across-the-board spending freeze, but I am getting a bit ahead of Ernie's story.

For the record, Arthur Ernest Fitzgerald was a patriot, a whistleblower, and a watchdog. He had a heart of gold, but it was as tough as nails. He outmaneuvered top military brass by getting down to brass tacks. He was a gentleman's gentleman who had a big southern drawl and a bone-deep genetic allegiance to the truth. In fact, his allegiance to the truth was a big bone of contention between him and those on the highest rungs of power of the U.S. Government—from the President of the United States to the most highly decorated brass in the U.S. military. Ernie had uncommon courage to stand up for the truth at great expense to his career. He put integrity and pride above saving his own hide. He spoke truth to the powers that be, and he lost his job for doing it.

As I mentioned, our acquaintance started during my first term in the Senate. I was awfully wet behind the ears. I was a dyed-in-the-wool fiscal conservative. At the same time, I was cutting my teeth as a congressional watchdog. Ernie Fitzgerald, at that time, was on a short leash at the Pentagon in his having been rehired—can you believe this?—under court order after having been fired for having blown the whistle on fiscal mismanagement at the Pentagon. That is how whistleblowers were treated then, and they are treated the same way today.

I remind my colleagues and the American people where Ernie's earnestness for truth landed him. The 37th President of the United States referred to Ernie Fitzgerald in those infamous Watergate tapes. You know who that was—Nixon. In Ernie Fitzgerald's quoting of Nixon, Nixon said: "Get rid of that SOB." Those marching orders were delivered after Ernie spilled the beans at a Joint Economic Committee hearing on November 13, 1968. He testified before Senator Proxmire's panel that taxpayers were on the hook for a \$2 billion cost overrun on the C-5 aircraft. For this transgression of truth-telling, he was fired by the Air Force.

Let me be clear. Ernie Fitzgerald lost his job for committing the truth, and that reveals the big-time risk whistleblowers face even today if they step forward to expose wrongdoing.

Thanks to Ernie's characteristic resilience, sheer determination, and our system of checks and balances, Ernie got his job back. He filed a lawsuit that made its way through the courts. It took a dozen years for him to get his job back. On June 15, 1982, Ernie returned to work at the Pentagon but in the attic of the Pentagon. That was 14 years after he testified about the C-5 and its \$2 billion cost overrun. Although Ernie held a very senior position in the Air Force—with the job title of Management Systems Deputy—at the Pentagon, he was kept at arm's length. His job description was spelled out in a court order, but he was never allowed to do that job that the court said he ought to have had.

That is how whistleblowers are treated. You ignore them. You put them in the attic. They go nuts. He was treated as an outcast, as I am sure I am demonstrating to you. He was snubbed by his superiors and was left to his own devices to make a difference.

Once again, the genius of our system of checks and balances came into play. Ernie was not snubbed by this U.S. Senator. In fact, we discovered we shared a bone-deep genetic aversion to waste. Like many Midwesterners, I don't like to waste time or money. That is why, as a U.S. Senator, I try to keep a tight-fisted grip on the Federal purse strings. It is why, as a taxpayer watchdog, I take oversight work very seriously. Every Member of Congress has a constitutional duty to conduct oversight—every Member of Congress. We need the eyes and ears of whistleblowers to root out the truth. That is why I want to hear what whistleblowers have to say.

As a new Senator in a Republican administration, the Reagan administration, I previously mentioned my proposal to enact a yearly across-the-board budget freeze. An across-the-board spending freeze guarantees shared sacrifice. I wanted to make sure it could be done without harming national security, so I needed answers from people who could tell the truth. I called on the Secretary of Defense at that time, Weinberger, and asked if I

could talk to a Pentagon budget analyst named Chuck Spinney. I was told, yes, he could come to my office.

It turns out the Pentagon didn't want Chuck Spinney, a civil servant, briefing me. At that time, I had an orange Chevette, so I jumped in it and drove from the Capitol over to the Pentagon. Even then, Chuck Spinney was not allowed to see me. As I watched the Pentagon disappear in my rearview mirror, I thought the Pentagon was making a mistake, though I didn't realize the publicity blunder it would turn out to be. What I did know was that one way or another, this Senator was going to talk to that civil servant, Mr. Spinney, whom the Pentagon didn't want me to talk to.

Six weeks later, Chuck Spinney testified before a standing-room-only joint hearing of the Senate's Budget and Armed Services Committees. It was held in the ornate Russell caucus room. Chuck Spinney exposed the mismanaged fiscal mess at the Department of Defense. The Pentagon was front-loading the budget, effectively stuffing 10 pounds of manure into a 5-pound sack. The following Monday, Chuck Spinney's photo was on the cover of TIME magazine.

The next time I wanted more answers about ongoing fiscal mismanagement at the Defense Department, I took a second road trip, in my orange Chevette, to the Pentagon. This time, I wanted Mr. Ernie Fitzgerald to testify before my subcommittee. Needless to say, the Pentagon didn't roll out the red carpet for me, but there were about 50 members of the press crammed into Ernie's attic cubbyhole to witness this U.S. Senator handing Ernie Fitzgerald a subpoena.

Courageous truthtellers can make all the difference, and Ernie was such a courageous truthteller. Ernie's evidence showed that contracting waste was bloating defense budgets and not beefing up military readiness. Instead, they were padding contractor profits at taxpayers' expense.

Ernie Fitzgerald's pursuit for truth is one of the primary reasons I also worked to strengthen whistleblower protections. What I like to call committing the truth often comes with a steep price.

Whistleblowers, like Ernie Fitzgerald, put their jobs, their livelihoods, and their reputations on the line. The pressure in this bureaucracy and in this government to "go along to get along" is entrenched in a culture in both the public and private sectors, but, of course, it is a way of life in the Pentagon.

In the late 1990s, I borrowed Ernie for a couple of years to work in my Senate office. He was assigned as an Air Force representative and expert who worked side by side with my staff. Together, we investigated vendor payments and bookkeeping, particularly in the Defense Finance and Accounting Services. This was in their accounts payable operations. It was tedious and time-con-

suming work, but Ernie Fitzgerald's unwavering work ethic was up to that task to restore the public trust.

Ernie Fitzgerald never minced words. He attributed lax procurement rules and, of course, cronyism as the reasons the taxpayers were being fleeced, and he was bound and determined to stop these shenanigans. As Ernie once said, "government officials, from the majestic office of the president to the lowest, sleaziest procurement office, lie routinely and with impunity in the defense of the system."

In 1998, Ernie testified at a congressional hearing I conducted to examine two audits freshly prepared by what was then called the General Accounting Office. The hearing was called "License to Steal: Administrative Oversight of Financial Controls at the Department of Defense."

The audits revealed nonexistent internal financial controls. Basically, the Defense Department's bookkeeping system was on auto pilot. It allowed for a freewheeling spending spree. The absence of basic financial controls fostered fraud, outright theft, and mismanagement of tax dollars. It was a story of rinse and repeat. Costly accounting errors were masked by a fundamentally flawed payment system that can't be audited, even today.

Working from within this bureaucratic behemoth, Ernie Fitzgerald devoted his life to exposing the abuse of power within the military-industrial complex. Outsized, but not outmatched, Ernie Fitzgerald evokes the image of David versus Goliath. At the height of the Cold War, he helped to freeze a galactic defense buildup and shielded taxpayers from massive, unaccountable expenditures.

America owes a debt of gratitude to this now-deceased Ernie Fitzgerald and to the brave work of whistleblowers who will follow in Ernie Fitzgerald's legendary footsteps. These courageous truthtellers risk everything to shed light on wrongdoing.

Ever since I met Ernie Fitzgerald and came to know the bureaucratic stonewalling that he fought against, I have worked to empower and protect whistleblowers. Transparency brings accountability.

Since passage of the bipartisan Grassley-Berman updates to the False Claims Act way back in 1986, the Abraham Lincoln-era antifraud tool is credited with recovering nearly \$60 billion back into the Federal Treasury, and they are still counting, at an average of about \$3 to \$4 billion a year. The Department of Justice has called it the government's single, most effective antifraud weapon that it has in its arsenal. I am told my amendments effectively deter hundreds of billions of dollars of fraudulent activity.

As long as I am in this Senate, I will continue to work to keep the False Claims Act razor sharp and to strengthen whistleblower protections. I will always remember the good work of Ernie Fitzgerald and lots of others like

him who kept their nose to the grindstone to do simply what is right.

Ernie Fitzgerald's long march for the truth teaches us that it requires constant vigilance to weed out a deep-rooted culture of cronyism, from the military-industrial complex to Big Pharma and elsewhere.

As cofounder of the Senate Whistleblower Protection Caucus, I will work to see that the mission of truth-tellers is protected for generations to come. I will continue to work to strengthen sunshine laws, whistleblower protections, and enforcement of the Inspectors General Act.

The inspector general of the Justice Department called whistleblowers the "lifeblood" of his organization's work. I completely agree.

I will long remember the genteel southern drawl and the charm of my friend Ernie Fitzgerald. I am glad I was able to visit him in person at the Sunrise Nursing Home in Falls Church, VA. He leaves behind a legacy of truth that ought to encourage every American to stand up for what is right and what is just.

Like many whistleblowers, Ernie Fitzgerald took the road less traveled. In the words of Robert Frost, "that has made all the difference."

In closing, Barbara and I extend our condolences to Ernie's peers, friends, and family members. I bid this faithful public servant a fond farewell with a Scripture message that he shared with me from time to time. He understood that when the going got tough, the tough got going. To my departed brother in Christ, may the words of John 8:32 carry him to life everlasting: "You shall know the truth, and the truth shall make you free."

I yield the floor.

The PRESIDING OFFICER (Mr. PERDUE). The Senator from Wyoming.

STATE OF THE UNION MESSAGE

Mr. BARRASSO. Mr. President, last night we heard from the President of the United States in his State of the Union Address. What I heard and what I know, living in Wyoming and traveling across my State and across the country—is that the state of the union is strong. It is strong, and we are strong militarily, economically, and politically.

It is so fascinating to see this growth that we have in our economy. I remember just a few years ago when the new normal for economic growth was stuck below 2 percent. People said: That is where we are going to be.

Well, as a result of tax cuts and regulatory relief, we have had an incredible amount of economic growth over the last couple of years. Really, the economy is sizzling, firing on all cylinders, fueled by the tax cuts that are allowing people to keep more of their hard-earned money, and wages going up because there are so many jobs being created.

Talking about the good news for the American people, I just noted that there were 3 million new jobs added

since Republicans passed tax reform a year ago. That is 3 million new jobs across the country.

Somebody might say: Well, maybe it is slowing down. It is actually the opposite. This past month, there were 304,000 new jobs. The experts, who thought they had a handle on the economy, said: Well, maybe there are 160,000 new jobs.

There were 304,000, not just 160,000, as it was estimated. There have been 3 million new jobs since we passed tax reform for the American people.

The other thing that is so interesting with the numbers is the increase in manufacturing jobs. I remember President Obama saying that you would need a magic wand to bring back manufacturing jobs to the country. Well, the number of manufacturing jobs that were brought back to the country or that were created in the country last year was the largest growth in over 20 years.

Now, what about wages? Wages are up significantly, compared to a year ago. People are noting not only an increase in their salaries but also an increase in their take-home pay because the amount of taxes taken out are going down as well. So you have higher salaries, lower taxes, and the amount of money that people are able to keep is going up as well.

More people are working today than at any time in our history as a nation. There are 157 million American workers, and workers are in the driver's seat. There are more jobs available than there are people to fill those jobs.

I am so happy with what President Trump has done with regulations to try to eliminate these burdensome, expensive, and time-consuming regulations that made it harder to create jobs, harder to keep jobs going, and harder to keep people in their jobs.

I was most pleased to see the President's focus and discussion on energy. Energy is called the master resource. It is called the master resource for a reason. It fuels our economy, it fuels our military, and it fuels our Nation.

We now have, through innovation and investment, enough energy resources that we have now become a net exporter of energy. People around the country and around the world look to us as a source of energy—crude oil, natural gas, and liquefied natural gas. There are opportunities for people around the country—coal from my home State of Wyoming. We are a net energy exporter, and it is because of the President's focus on allowing us to use the resources that we have been so blessed with in this great country.

As for this talk about 3 million new jobs, in Wyoming alone there have been 8,000 more jobs created since we passed tax reform.

The Wall Street Journal editorial board's headline this past Friday, February 1, was this: "Sorry for the Good News." It said: "This is what happens when the political class takes its boot off of the neck of private business, as

the GOP Congress and Trump administration did for two years."

That is why we have all this good news. Taxes are lower. Regulations are much more reasonable. They are not the kind of troublesome regulations that choked our economy.

I think now it is time to refocus, as the President talked about—a time for greatness in America, to refocus our attention on economic expansion.

When I hear my colleagues on the other side of the aisle, they have taken a hard left turn, way off to the liberal side, to the radical side of things, proposing socialist programs that increase taxes, that increase government spending, and that apply burdensome new regulations. That would put a tremendous brake on the economy and the economic growth we have seen. These hard-left policies will kill job creation and cripple the economy.

Americans want more freedom, more opportunities, more economic prosperity, and better paying jobs. That is what this is all about. That is what we heard last night in the State of the Union. That is why the state of our Union is strong, with a strong, healthy, and growing economy. It is time—and I agreed with President Trump last night—to unite, time to work together and keep the country moving forward with commonsense policies that improve Americans' everyday lives.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

#### STATE OF THE UNION MESSAGE

Ms. ERNST. Mr. President, today I rise to speak on the strength of the U.S. economy, and I would like to thank my colleagues who have joined me here on the floor to address this very important topic.

As President Trump said in last night's State of the Union, "Our economy is thriving like never before."

Last Friday's January jobs report was a continued good-news story, with 304,000 new jobs added just last month. It is also an example of how Republican pro-growth policies are getting people back to work. Job growth was strong across most sectors, including manufacturing, where 261,000 jobs were created over the last year.

Just as important, this economic growth has put upward pressure on wages, with the average hourly pay increasing by 3.2 percent from last year. Lower wage workers saw some of the biggest increases. This means more money in your pockets to put food on the table and provide for growing families.

The tight labor market has drawn workers off of the sidelines, and that is a good thing. Folks who have been unemployed or underemployed are finding work, and those seeking to shift to a better paying job or one with better hours that is closer to home are finding those opportunities.

Nowhere is the power of this job creation more evident than in my home State of Iowa, where the 2.4-percent

unemployment rate is the lowest in the Nation. There are 64,000-plus jobs currently open in Iowa. Over 1.6 million Iowans are employed, which is the most in our State's history. Every time I meet with an employer from my home State, they tell me about the challenges of filling jobs in order to keep their businesses running. They want to hire people, and business is booming. Under Republican pro-growth policies and the leadership of Governor Kim Reynolds, Iowa's economy continues to expand, and wages are increasing across the State.

I also agree with the President that "no one has benefited more from our thriving economy than women, who have filled 58 percent of the new jobs created in the last year." Women are also becoming small business owners at increasing rates across Iowa. These "girl bosses" are creating jobs and helping Iowa's economy to rumble. Yes, ladies, Iowa is the place to be.

The Tax Cuts and Jobs Act has allowed Iowa's job creators to invest in their workers and grow their businesses. For example, a business in Dyersville, IA, invested 75 percent of its tax savings last year into its employees, giving \$800 bonuses to the 162 full-time workers. One of its employees said she planned to put her bonus into her retirement fund—an investment in her future.

Furthermore, cutting redtape and scaling back burdensome regulations have led to a surge in small business optimism. A December survey from the Iowa Association of Business and Industry found that 97 percent of respondents planned to make capital expenditures this quarter, while a majority expected to add new employees and 72 percent expected to see sales growth.

Recent achievements—from opioid abuse efforts to criminal justice reform—will help transform our job pool to help fill the needs of today and tomorrow, helping people get back on their feet and back to work.

I also know that millions of working mothers, fathers, grandparents, and families across the country struggle with the realities of childbirth and infant care while working hard to raise strong and healthy families. It is long overdue that Congress not just have a conversation on these matters but that we get serious about a path forward on a paid leave approach. I am glad the President highlighted this issue in the State of the Union last night. Some are fortunate enough to have paid benefits provided by their employers, but many families in America do not have that luxury.

For the past few months, I have been working on this issue with my colleague, Senator MIKE LEE. Helping families is an issue we can all agree on, and I hope we can have a productive dialogue on how Congress can best help in a way that keeps our economy strong.

Simply put, when Washington gives power back to Main Street, American families win.

Sadly, over the last few weeks, I have heard my Democratic colleagues propose a Green New Deal that would raise energy prices for consumers by as much as \$3,800 per family a year and proposals to impose tax rates as high as 70 percent. If allowed to move forward, these proposals would reverse some of the economic progress we have seen. They would change our Nation's direction from freedom, innovation, and job facilitation to more heavy-handed regulation. This far-left agenda offers little for small businesses seeking to grow to bigger ones, families seeking to increase their take-home pay, or workers trying to climb the ladder to full economic success. That is not a future that looks bright to me, and it isn't one that gives Americans a path toward prosperity.

I am very proud of our achievements, and I am thankful for the leadership of the President and folks willing to work together to get our economy moving. There is more work yet to be done, and I look forward to seeing our economy continue to achieve new heights.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. BRAUN. Mr. President, I rise today in one of the hottest economic environments our Nation has ever seen. The last time American unemployment was this low, the Beatles were at the top of the charts and I was a starting forward on the JV basketball team back in Jasper, IN. The last time U.S. stocks had a January as good as this last month, the Hoosiers were on their way to a national championship under Coach Bobby Knight.

Last night, President Trump outlined the incredible economic success and progress our country has made in the last 2 years, and it is times like these that drive home the point that we all already know: Business is the engine that drives the American economy, not government. Entrepreneurs—from titans of large industry to mostly Main Street entrepreneurs—are the force that generates prosperity, not politicians. America's true power is held in our local chambers of commerce, not in the Chambers of Congress. Our best wisdom comes from the factory floor, not the Senate floor.

Businesspeople understand what makes the economy tick, and with someone like President Trump at the helm, the true potential of the American economy is being unleashed. GDP and job growth numbers have never been like this.

During the Obama administration, these numbers were scoffed at as not being attainable. Now it is happening. We have to keep that in mind. President Obama offered us 8 years of stagnation and cynicism. President Trump has offered optimism, bold leadership, and the deep understanding of what makes a business boom that could only come from the experience of somebody from the real world, an entrepreneur.

Like the President, I built my life in business over many years. I started

back in 1981 with just a few employees. Our original office was in a mobile home on a rock lot—a very hard-scrabble existence. I think of all the time invested. For 17 years, we hovered as a small business. Patience and persistence underlie everything that really works in this economy and in this world. We lived within our means, and we reinvested in our own success in good times and bad. And this story is being played out across the country.

President Trump's Tax Cuts and Jobs Act is the most significant pro-growth legislation that has come out of Washington since I have been paying attention. As I said, that has been 37 years. For my company, the Trump tax cuts were the biggest capital infusion we had ever seen.

Like the President, I have been blessed in that three of my four kids work in my business. When tax reform was signed into law, I believe back in December of 2017, one of my sons came to me and said: Dad, we need to take these savings—we are sending less to DC. Let's do something with them.

I said: What did you have in mind?

He said: I would like to share these benefits with our employees.

I said: Well, particularly, what did you have in mind?

He said: I would like to raise 401(k) benefits. I would like to start quarterly bonuses.

We always did an end-of-the-year bonus.

He said: I would like to cut family healthcare costs by \$1,400 per family.

We had held them flat for 9 years.

I said: Wow, I wish that had been my idea. I like it.

He said: The other thing is, I would like to put in the company memo that this is due to tax reform.

I entered politics long ago—I was on a school board for 10 years, 3 years as a state legislator—and I knew you had to be careful when you mixed business with a political statement. I asked him to talk it over with his brother, who I thought might want to just give the benefits and not make a political point out of it.

He said: Dad, you are the CEO. What do you think?

I said: Put in the company memo that this is due to tax reform. As conservatives, we need to be proud of it.

That is exactly what we did.

Regulatory cuts and tax reform are never going to make headlines, but Americans are seeing the results in real dollars and cents in their paychecks and their 401(k)s. It is clear that when government gets out of the way of enterprisers, the rising tide of prosperity lifts all ships.

If my fellow Republicans and conservatives ever want to win again, it is incumbent upon us to make the case that this economy is due to the fact that the administration and the Republican Congress created the stage for this economic boom that we are within. It is also incumbent upon employers across the country to make sure you

share these benefits with your employees. If that is not done, we are going to waste an opportunity.

The reason this is so critical is that there are a lot of folks who have a different point of view. The Democrats have a proposal that basically is this: more taxes, more debt, probably more regulations, and taking steps down the pathway, I think, to a socialist catastrophe like the daily horrors we see in Venezuela, embracing a failed ideology that has not worked anywhere else.

Promising free college, free insurance, and never being able to pay for it may be a good way to win votes in 2020, but it is no way to run a country. Sooner or later, somebody gets stuck with the bill. If we fail to confront this creeping threat to our free market principles now, our children and grandchildren will pay dearly.

Again, it is so incumbent upon us to take this opportunity and run with it as business owners so we can put it into practice where everybody is feeling the benefits beyond what they have so far. If we want to keep President Trump's economic rally going, create more opportunity for Americans to live their America dream, and make the clear choice between pro-growth policy and a dissent toward socialist calamity, more business people, as well, need to step out of their comfort zone and run.

Try to become a State legislator. Get involved. Run for Congress. Run for the Senate.

I did it out of nowhere, when nobody thought it could be done. If we want our system to work the way it should when it works best for all, we need to make sure that message is getting heard. Let's keep it booming. Let's keep this thing going. Participate. Get involved.

I yield back my time.

The PRESIDING OFFICER (Mr. BRAUN). The Senator from Georgia.

#### ECONOMIC GROWTH

Mr. PERDUE. Mr. President, it is my honor to join my colleagues, including the Presiding Officer, in this brief colloquy about the current economic results that the President's agenda is achieving. I would like to put it in perspective though.

Just a little bit over 2 years ago, we had suffered through 8 years of probably the most onerous increase in big government regulatory reform that we had ever seen. These regulations were so onerous that they basically shut down free enterprise for a decade. Add to that a tax environment that was not competitive with the rest of the world, and the result was that we had the lowest economic growth in United States' history—1.6 to 1.9 percent, depending on whom you believe. Regardless of that detail, it was absolutely uncontested that it was the lowest economic growth in the United States' history. There was no secret behind that.

Actually, in 2009, when the last administration started, the economy was

at a low point because of the financial crisis. So they started from a very low point to start with. It is more draconian than the numbers indicate.

Two weeks after President Trump was elected, I was included in a leadership meeting in the White House to talk about how we are going to achieve the President's No. 1 objective, and that is to grow the economy. He said during the election and, indeed, during that meeting, that job one was to grow the economy. We had to put people back to work, get enthusiasm back, and get confidence in the U.S. economy again and in each other. In that meeting, we outlined, basically, what was required to do that. President Trump gave us his vision of what we had to do.

We wanted to work on regulations, energy, taxes, and, indeed, pull back on as much of the Dodd-Frank bill as we could. Those things in the first year were intended to get the economy jump-started. Then, in the second year, we were supposed to talk about immigration, infrastructure, and trade.

History will show that in the first year, more than 870 regulations were reversed. We unleashed our energy potential in two major projects: ANWR in Alaska and the Keystone Pipeline. Those benefits are even yet to come.

Thirdly, we passed a historic tax bill that made the United States more competitive with the rest of the world. We lowered the corporate tax rate. We changed the individual tax structure. We eliminated the repatriation tax.

The next thing was so important. We actually passed a bipartisan bill that pulled back on the most draconian parts of the Dodd-Frank bill. The Dodd-Frank bill was a knee-jerk reaction from the financial crisis in 2008 and 2009. It really did put regulations in place that pulled back on the banking industry in many ways. Some of those, we might argue, were required. Certainly, on the money banks in New York, some things were needed. I would argue that not the full breadth of what Dodd-Frank did, but that is an argument for another day.

Last year, we got 17 of my Democratic colleagues in this body to agree that a minor adjustment in the Dodd-Frank bill would make a tremendous difference for small community banks and regional banks. We did that. We passed that with 17 votes from the other side. What this did in aggregate was to free up somewhere around \$6 trillion back in the economy. That is real money when you are talking about a \$21 trillion economy. Not all of that has flowed back in yet.

Here is what has happened. There is \$2 trillion on the Russell 1000 balance sheets. These are our largest public companies, and they had the largest balance sheets in their history. They had about \$2 trillion on their balance sheets.

Second, we had about \$2 trillion on bank balance sheets of community banks and regional banks because of Dodd-Frank. Estimates were \$3 trillion

overseas in unrepatriated U.S. profits. What we have done in the last 2 years is fundamentally remove the roadblocks for that capital to flow back into the United States.

What are we seeing? Just the initial blush of regulatory reform pumped up CEO confidence and consumer confidence to 30-year highs. We saw that in the first 6 months of 2017. What happened after that was that consumers started to react, employers started to react, and capital started to flow. The free enterprise system started to breathe again after you took the jackboots of an oversized Federal Government off the throat of free enterprise.

We just heard the Presiding Officer's story about a small business. Those are multiplied by the thousands across our country. This isn't just about big business, as you and I well know. It is about individual enterprise. It is flowing again after a decade of being absent.

I am also proud to tell you that if you look at what the economy is doing right now—honestly, I am just a business guy, but I can back this up with economic realities—these facts are not debatable. This is the greatest economic turnaround in the United States' history. We are growing about a little more than twice the rate as we did in the past decade.

We created 5.3 million new jobs. Median income is the highest in U.S. history. At the same time, unemployment is at the lowest it has been in 50 years in total. African-American, Asian American, and Hispanic-American unemployment is the lowest ever measured. By any measure, this economic turnaround proves that what we believe in actually works. If you get big government out of the way and let the free enterprise system work, capitalism can breathe again, and this is what happens.

Are we going to have a steady rise in a consistent 3.5 percent, 4 percent growth? No, this is free enterprise. This is capitalism. What happens is we form capital. We have an idea for a product or a service, and we develop that. We get a customer. We make a transaction. Cash flows, and we reinvest that. This is what capitalism is. Capitalism is not Big Government getting all of your tax money, turning around, and redistributing that out because that absolutely shuts down free enterprise. As we know, free enterprise is the best economic system we have yet devised on the face of the Earth.

I am embarrassed that the President of the United States—I never thought I would see this day, on the floor of the House of Representatives in a joint session of Congress, in the State of the Union Address—had to feel like he had to make the statement that the United States would never be a socialist country. The fact that it is even debated is so embarrassing to me. It is unbelievable that this could even be proper as a viable alternative, given the history of the last 100 years alone.

If you go back to the 1970s and the great experiment that the Soviet Union was going to bring egalitarianism to the world, well, that failed. We have failed social states today in Venezuela, Cuba, and others. The Soviet Union today in Russia is a mere shadow of its former self because they played the game wrong. It may take decades before that can be rebuilt.

There can be no debate that freedom is what America is about. Our forefathers and foremothers fought and died to make sure that we would always have the liberty of the free enterprise system. That is what we are enjoying right now. That is what we are visibly witnessing before our very eyes today. As we go into a Presidential cycle in 2020, I hope that we have enough sense as a country to see that as the issue that we ought to be debating.

Yes, we have problems. Our debt is a serious threat to our own national security. It is the No. 1 threat to this continued economic boom we are all talking about. We have \$21 trillion of debt. What is worse than that is that over the next 10 years, no matter what we do in terms of discretionary budget, Congress will add another \$10 trillion to the debt unless we do something to save Social Security, Medicare, and Medicaid. It is as simple as that.

We are actually spending about the same or a little bit less than we were in 2009 in terms of discretionary spending. That is less than one-third of what we spend as a Federal Government. The mandatory side of that equation never gets debated in this body. It is automatic—mandatory. It is an automatic withdrawal, like a house payment, car payment, or insurance payment in a private business.

There is no doubt in my mind that we can solve every one of these. America is not bankrupt. We have more assets than we have liabilities. We have all the wherewithal in the world to solve our long-term debt problem. The rest of the world knows that. That is why they are still buying our corporate bonds and treasuries. I have never been more optimistic about the future of our country for my children and my children's children, but we have to deal with this Federal debt. Growing the economy, as President Trump said 2 years ago, was the first step toward doing that, but we have to get serious about dealing and saving the trust funds for Social Security and Medicare. That doesn't mean cutting them. It means finding a viable financing way to make them viable indefinitely. There are so many ways to do that.

I will close with this. It seems to me that what is at stake here is the very Republic that we are talking about. What are we going to be in the next 100 years? I would submit to you that the evidence is before us right now that one thing we have to be in order to protect the freedom of our country is to remain committed to the free enterprise system that we all have built this

economic boom upon that has been the greatest economic boom since World War II and in the history of humankind.

I implore both sides here to put the political differences aside, and let's get to funding this government on time, which this Congress has only done four times in the last 44 years. Congress has actually shut the government down, including this last one, 21 times.

This is totally unacceptable and unnecessary. I think that with a bipartisan approach, we know there are so many places of agreement that we can begin to do that, and I ask for everybody's forbearance and patience and willingness to engage in a bipartisan way to actually deal with some of these life-threatening issues we see before us.

As we do that, I hope we can end the debate once and for all about what really works here—lower taxes, less regulation, and certainly you have to have controls to make sure we have a level playing field for everybody in the United States, but this onerous, top-down-driven, controlling Big Government policy does not work. We proved that in the last decade and in other decades in the last 100 years.

It is an honor to be in the U.S. Senate. It is an honor to be an American. I never took that for granted, having lived outside of the United States. I can promise the Members of this body that what we have right now is not a false positive. What we have is evidence that capitalism works, the free enterprise system works. If we want to protect our liberty, we have to continue to develop that system.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, like several of my colleagues today, under the leadership of my colleague from Iowa, Senator ERNST, we come to the floor to discuss the benefits of the tax cut of 14 months ago. Congress then passed historic tax legislation that fundamentally reformed our Tax Code and provided tax relief to middle-income Americans and to job creators. The Tax Cuts and Jobs Act, as it is called, made good on our commitment to provide significant tax relief to middle-income taxpayers while making the Tax Code simpler, fairer, and, of course, pro-growth oriented.

Thanks to a near doubling of the standard deduction, millions of taxpayers are discovering right now, as they file their taxes, they can pay less without spending hours and hours sifting through receipts and extra forms, all because the standard deduction is doubled.

Middle-income taxpayers can also expect to see a significant reduction in their tax bill from last year. For example, an Iowa family of four, with a State's median income of around \$73,000, stands to see their tax bill cut by more than half, or approximately \$2,000. This is real relief that began ap-

pearing in many taxpayers' paychecks at the start of 2018.

Given this, the best way for taxpayers to see how tax reform affects their bottom line is to compare this year's tax return with last year's tax return, rather than on the size of their refund. At the end of the day, the vast majority of taxpayers will see that less of their hard-earned money is coming to Washington for 535 Members of Congress to decide how it will be spent. Of course, those of us making that decision, 535 of us, would have less economic impact than 150 million taxpayers with more money to decide how to spend or save—how to spend it or how to save it. That would enhance our income, creating jobs, much more than Washington disposing of that same amount of money.

It responds to the animal spirits of the free market system—willing buyer and willing seller. This tax release stems from many pro-family and pro-middle-income tax provisions in the law. The law also enacted much needed tax relief for important job creators. It provides a very significant deduction on business income for small businesses, effectively lowering their top tax rate to under 30 percent, in many cases.

This bill corrects an injustice that has existed for decades; that there has never been recognition of the small business person who files an individual tax form compared to a corporate tax form. Small businesses never had equity like they should.

Small businesses, down to the smallest family-owned corner store and family farmer, are benefiting from that provision. Additionally, the law lowered the statutory corporate rate down from the highest in the developed world to 21 percent. The previous corporate tax rate was putting American companies at a very competitive disadvantage globally and consequently costing American jobs.

Just as important, the law put in place immediate expensing for the depreciation of equipment that businesses of all sizes and shapes would invest in. As a result, job creators will have every incentive to invest back into their business and expand operations here at home.

Nearly as soon as the tax cut was signed into law, its positive effects began to be felt throughout the economy. Hundreds of companies began announcing bonuses, pay raises, higher retirement contributions, new hiring, and increased investment. This included numerous businesses in Iowa. Utility companies across the country also responded by passing along their tax savings to their customers in the form of lower electric gas and water bills. Higher take-home pay, bonuses for employers, and reduced utility bills were all important benefits of the tax cut.

While the tax cuts and reforms have only been in effect for a little over a year, the economic signs point toward

it having its intended effects. In 2018, the economy grew at 3.1 percent—the highest growth rate since 2005. Wages have risen at the fastest pace in nearly a decade. Nearly 3 million jobs have been created since the passage of tax reform, including more than 15,000 new jobs in Iowa alone. Unemployment rates for Hispanic and African-American workers have hit alltime lows.

For the first time on record, the number of job openings has exceeded job seekers for 9 straight months. Small business optimism is at near-record highs, and growth in business investment has been more than twice the rate it was during the sluggish Obama economy.

All of this good economic news points toward continued economic growth moving forward. This is key to sustainable, long-term wage growth, which is the most powerful anti-poverty measure that exists. Thanks to the tax cuts and the reform, America is open for business, and the economy is booming—all to the benefit of individuals and families in Iowa and every State.

Of course, all of this good economic news is no reason for us to become complacent. Over the next 2 years, I look forward to working with my colleagues on both sides of the aisle to build on the success of tax reform. I say that willingness to work with my colleagues both from the standpoint of being an individual Senator from the State of Iowa as well as being chairman of the Senate Finance Committee.

I yield the floor.

The PRESIDING OFFICER (Mr. PERDUE). The majority whip.

Mr. THUNE. Mr. President, in last night's State of the Union Address, the President highlighted the strength of the economy. After years of stagnation under the Obama administration, our economy has come roaring back, thanks in substantial part to Republican economic policies.

After the Presidential election 2 years ago, Republicans made it our mission to get our economy going again. We cut excessive regulations, and we passed a historic comprehensive reform of our outdated Tax Code.

The Tax Code plays a huge role in the health of our economy. It helps determine how much money individuals and families have to spend and save. It helps to determine whether a small business can expand and hire. It helps determine whether larger businesses hire, invest, and stay in the United States.

A small business owner facing a huge tax bill is highly unlikely to be able to expand their business or to hire a new employee. A larger business is going to find it hard to create jobs or improve benefits for employees if it is struggling to stay competitive against foreign businesses paying much less in taxes. A larger business is unlikely to keep jobs and investment in the United States if the Tax Code makes it vastly more expensive to hire American workers.



Before we passed tax reform a year ago in December, our Tax Code was not helping our economy. It was taking too much money from American families, and it was making it harder for businesses, large and small, to create jobs, increase wages, and grow. That is why, after months of work, we passed the Tax Cuts and Jobs Act.

This legislation cut tax rates for American families, doubled the child tax credit, and nearly doubled the standard deduction. It lowered tax rates across the board for owners of small- and medium-sized businesses, farms, and ranches. It lowered our Nation's massive corporate tax rate, which up until January 1 of last year was the highest corporate tax rate in the developed world. It expanded business owners' ability to recover the cost of investments they make in their businesses, which frees up cash they can reinvest in their operations and in their workers. It brought the U.S. international tax system into the 21st century so American businesses are not operating at a competitive disadvantage next to their foreign counterparts.

Our goal with this bill was simple. We wanted to make life better for the American people; we wanted to let Americans keep more of their hard-earned money; and we wanted to spur economic growth to give workers access to good jobs, better wages, and more opportunities.

I am proud to report that our policies are working. The economy grew at a robust 3.4 percent in the third quarter of 2018. January marked the 11th straight month that unemployment has been at or below 4 percent. That is the longest streak in nearly five decades.

In 2018, for the first time ever, the number of job openings outnumbered the number of job seekers, and 2018 saw the most impressive job growth in the manufacturing industry since 1997. Wage growth has accelerated. Wages have now been growing at a rate of 3 percent or greater for 6 straight months. The last time wage growth reached this level was in 2009—a decade ago. Median household income is at an all-time inflation-adjusted record of \$61,372, and on and on.

Continuing with something that is working is usually a good strategy. If your economic policies are working, continuing them is a pretty logical thing to do.

Democrats apparently have a different opinion. Instead of continuing the policies that are producing economic growth and opportunities for American workers, they want to end them. Instead of reducing taxes, they want to raise taxes. Instead of getting government out of your way, they want to put government in charge of your healthcare, your electricity options, and more.

I wish I were joking, but Democrats are increasingly uniting around policies that would not only undo the progress our economy has made but

would damage our economy for the long term.

One of the most dangerous proposals is the so-called Medicare for All proposal, which would abolish our current system of employer-sponsored private insurance and replace it with government-run healthcare—paid for on the backs of the middle class. The cost for this program would be staggering, an estimated \$32 trillion over the next decade. That is equivalent to the entire Federal discretionary budget more than two times over.

Doubling the amount of individual and corporate income taxes collected would still not be enough to pay for the mammoth costs of this plan. Doubling all the revenue collected from income taxes in this country on the individual and business side would not be enough to pay for the mammoth costs of this plan.

Passing any version of Medicare for All would lead to stratospheric tax hikes for Americans in addition to the loss of their employer-sponsored insurance.

Then, of course, there is the so-called Green New Deal, which could raise Americans' energy costs by more than \$3,000 a year. I don't know what families Democrats are talking to, but I have a hard time thinking of working families who can afford to spend \$3,000 more each year on their energy bills.

Then there are the plain old tax hikes—like a proposal to raise the top marginal tax rate to 70 percent, a rate we haven't seen since 1965. It would be a tax hike not only on individuals but on small- and medium-sized businesses as well.

Take the House Democrats' proposal to substantially increase the corporate tax rate. They want to raise the corporate tax rate 40 percent on businesses from what it is today. Before the passage of tax reform, America's global companies faced the highest corporate tax rate in the developed world. That put American businesses at a serious disadvantage on the global stage, which, in turn, put American workers at a disadvantage.

Since we lowered the corporate rate, we have seen economic growth, money returning to the United States, and new benefits and opportunities for American workers.

It is difficult to understand what would possess Democrats to jeopardize economic growth and opportunities for American workers by hiking the corporate rate again. Right after we lowered it to get more competitive internationally, they are talking about raising it 40 percent.

I said before, I wish I were joking about some of the Democrats' outrageous proposals. In addition to the money Democrats would be taking directly out of Americans' pockets to pay for their programs, it would also be permanently damaging to economic growth. If Democrats succeed in passing proposals like Medicare for All, Americans will be facing a future not

just of higher taxes but of lower wages, fewer jobs, and diminished opportunities.

Republicans are going to do everything we can to ensure that doesn't happen. We will continue pushing for policies that will create jobs and increase wages, build on the progress we have made in the last couple of years. We will continue pushing for policies that expand opportunities for workers, that increase access to good jobs and to fulfilling careers, and we will continue pushing for policies that lower the cost of living, including the cost of healthcare and prescription drugs. We will continue pushing for policies that help hard-working families keep more of their income and save for education and retirement. We are committed to giving every American access to a future of freedom, opportunity, and security.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. COTTON). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. UDALL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

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Mr. UDALL. Mr. President, thank you for the recognition.

I rise to express my strong support for the bipartisan public lands package. This legislation, which puts together over 100 public lands, natural resources, and water bills, protects and expands our Nation's lands and strengthens our local economies.

This sweeping package shows the country the tremendous amount that can be accomplished when both parties in Congress roll up their sleeves and work together toward a common goal.

While there are certainly other measures I wish we had included in this package, overall, this bill can pass both Chambers on strong bipartisan votes. I am looking forward to this Congress showing its strong support for keeping public lands in public hands and protecting them for future generations.

I am particularly proud of provisions in this package that I have championed for years to benefit my home State of New Mexico, starting with permanent reauthorization of the Land and Water Conservation Fund.

The Land and Water Conservation Fund is our Nation's most successful conservation program and is extremely popular with the American people. Yet Congress has consistently underfunded it and failed to make it permanent. I have been fighting for years for full funding and permanent reauthorization. The public lands package does just that. This was a law championed by my father in 1965 while he was Secretary of the Interior. I have been proud to carry the torch and work to make the Land and Water Conservation Fund permanent. In New Mexico



alone, over 1,200 local projects have been supported by the LWCF since it began in 1965.

Over the last 2 years, the President has proposed essentially eliminating the LWCF, but in a major step forward, the Senate package permanently reauthorizes the program and provides annual funding with at least \$900 million—all from offshore oil and gas leases and other revenue streams that don't come from taxpayer dollars. Giving the Land and Water Conservation Fund permanent authorization is a monumental win for our entire Nation. I hope that soon we can secure robust mandatory funding as well. Until then, I will continue to fight, along with my colleagues on both sides of the aisle, to ensure that this program receives significant funding each year in the appropriations process.

The lands package includes my Organ Mountains-Desert Peaks Conservation Act, cosponsored by Senator HEINRICH. Senator HEINRICH and I have been fighting to protect this rugged, beautiful part of southern New Mexico for years. In 2014, President Obama used our legislation as the basis for his Executive order to create the Organ Mountains-Desert Peaks National Monument.

The Organ Mountains-Desert Peaks area has contained protected wilderness study areas since the 1980s and 1990s. It is high time to make these study areas permanent wilderness. Senator HEINRICH and I have worked closely with all stakeholders—ranchers, conservationists, U.S. Customs and Border Protection, and many others—to bring these lands into 10 permanent wilderness areas. Our bill, S. 441, places approximately 240,000 acres into wilderness while it releases approximately 30,000 acres so that the Border Patrol has the flexibility that is necessary to keep the border secure. The Border Patrol concerns have been addressed, as have the interests of grazing leaseholders, who will be able to continue to graze their cattle.

The areas targeted for protection showcase sky island mountains, native Chihuahuan Desert grasslands, caves, unique lava flows, limestone cliffs, and winding canyons. As you just heard, the landscapes for designation are tremendously varied. Here is a photo of one that depicts the Organ Mountains. What a magnificent range.

Under the 1964 Wilderness Act, “wilderness” is “an area where the earth and its community of life are untrammeled by man, where man himself is a visitor who does not remain.” The 10 areas for designation in the Organ Mountains-Desert Peaks should remain untrammeled, and they deserve the special protection that “wilderness” designation confers.

Like the wilderness study areas in our newest national monument to the south, Senator HEINRICH and I have been working for years to designate two wilderness study areas in our newest national monument to the north as

“wilderness.” The 13,000-acre Cerro del Yuta and the 8,000-acre Rio San Antonio study areas within the Rio Grande del Norte National Monument are equally deserving of “wilderness” status. The centerpiece of Cerro del Yuta is Ute Mountain, which is a 10,000-foot-high volcanic dome that overlooks the magnificent Taos Gorge, which is shown here. It is pretty inspiring when you stand on top and look into this gorge. The Rio San Antonio sits 200 feet below a plateau and creates a unique riparian area and amazing recreational opportunities that boost the local economy.

This designation is also the product of a grassroots coalition of local stakeholders, including sportsmen, small business owners, pueblos, and conservationists, who have worked for years to preserve the Rio Grande del Norte area for future generations. By designating the Cerro del Yuta and the Rio San Antonio areas under our Cerros del Norte Conservation Act, it cements their place as part of northern New Mexico's protected heritage.

During the last congressional session, I and my good friend, the late Senator John McCain, worked hard on the 21st Century Conservation Corps Service Act, or 21 CSC for short. We wanted to make sure that our youth and our veterans had real and meaningful opportunities to serve our country by conserving our great outdoors. This bill reinvigorates public-private partnerships between the Federal Government and the private sector and enables our youth and veterans to engage in national service on conservation-related projects. The program also targets Native American youth by establishing an Indian Youth Service Corps to work on Indian Country priorities.

The bill also expands eligibility so that returning veterans and others can participate in these important programs. It expands the number of Agencies that can establish service corps, and it authorizes detailed data collection so that we can track exactly how these programs help communities and our public lands.

This kind of program makes so much sense, for we have a huge backlog of infrastructure needs on our public lands—a backlog that is only growing with increased wildfires and natural disasters. Younger workers, especially Native youth, face higher unemployment rates, and our veterans face their own set of challenges when they transition to civilian life. Service corps are a cost-effective way to promote conservation goals and to fill employment gaps.

This program has broad bipartisan support—support from the Western Governors' Association, veterans organizations, and the outdoor industry—and it would pay special tribute to our late colleague, Senator McCain, whom we all admire so much. I urge its passage.

One of New Mexico's most successful watershed management collaborations

is the Rio Puerco Management Committee that was established in 1996. The Rio Puerco is the largest tributary to the Middle Rio Grande Basin. The watershed encompasses approximately 4.7 million acres and unfortunately is the primary source of undesirable fine sediment that is delivered to the Rio Grande system. According to the U.S. Geological Survey, on average, the Rio Puerco delivers 78 percent of the total suspended sediment load of the Rio Grande, although it provides only 4 percent of the runoff.

The Rio Puerco Watershed Management Program is a community-based approach that brings Federal and State agencies, Tribes, nonprofits, and local citizens together to work on watershed management, including sediment reduction and habitat and vegetation restoration. The committee has been widely recognized for its success and has earned awards from the Environmental Protection Agency and the Bureau of Land Management. Its most recent 10-year reauthorization ends on March 30 of this year. We need to permanently authorize this very effective program.

Senator MURKOWSKI and Senator CANTWELL, I applaud your work on expeditiously bringing this package to the floor. The 100 bills that compose the public lands package boast 50 different Senate sponsors and nearly 90 cosponsors. The package represents the hard work of countless individuals and organizations throughout the country—all committed to preserving and protecting our country's greatest treasures. I stand resolutely behind that commitment as well, and I urge the unanimous passage of this historic package.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. HEINRICH. Mr. President, I start by thanking Senator TOM UDALL, our senior Senator from New Mexico, for the incredible amount of work and really the years of advocacy and attention that have gone into many of the portions of this land package that he just described. Without his leadership, without his partnership, we would not be celebrating this opportunity today.

I rise to celebrate the landmark conservation measures that we are about to vote on here in the Senate. As a Senator from a State that proudly calls itself the Land of Enchantment, I know how much our public lands mean to New Mexicans. These are the places to which generations of families have gone to explore our natural wonders and to learn about our rich history and our incredible culture. Hunting and fishing, as well as hiking and camping, on our public lands are quite simply part of our identity in the State of New Mexico, and this relationship with our land and our water is fundamental to who we are.

These activities also fuel a thriving outdoor recreation economy that supports nearly 100,000 jobs in New Mexico

alone. Nationwide, outdoor recreation generates nearly \$900 billion of consumer spending each year and directly supports more than 7 million American jobs. Think about that—7 million American jobs. That is why I thought to pass this legislation that will open additional access and create recreation opportunities on our public lands to support this important part of our economy.

I commend our chairman, Senator LISA MURKOWSKI of Alaska, our ranking member, JOE MANCHIN of West Virginia, and our former ranking member, Senator MARIA CANTWELL of Washington. We are, to say the least, going through a frustrating political era here in Washington, and there just don't seem to be many things we can agree on these days. Yet the package of public lands and conservation bills that we are now considering on the floor reflect Chairman MURKOWSKI, Ranking Member MANCHIN, and Senator CANTWELL's leadership. It demonstrates their willingness to put aside partisan rancor and do the hard work that is required to build bipartisan consensus.

I am proud that we are moving forward to pass these bills that have earned broad, bipartisan support in our committee to conserve our public lands, to create new outdoor recreation opportunities, and to build on the success of our Nation's most effective conservation programs. I want to quickly highlight some of these incredible victories in this bill for New Mexico.

First and foremost, I am so proud that we are passing two bills to advance community-driven conservation visions for New Mexico's two newest national monuments—the Rio Grande del Norte and the Organ Mountains-Desert Peaks. From the tops of the Cerro de la Olla and Ute Mountain to the depths of the Rio Grande Gorge, the Rio Grande del Norte National Monument in northern New Mexico is one of the most spectacular landscapes on Earth. The historic monument designation for the Rio Grande del Norte was the direct result of tireless efforts by those in the local community who were dedicated to protecting this area for future generations, and they worked for decades to do just that.

The legislation we are voting on establishes two new wilderness areas within this monument—the Cerro del Yuta Wilderness and the Rio San Antonio Wilderness. By designating the most rugged and unique habitat in the Rio Grande del Norte as wilderness, we can protect the monument's natural heritage for our children and for generations to come.

We are doing the same thing for southern New Mexico's Organ Mountains-Desert Peaks National Monument. Organ Mountains-Desert Peaks is incredibly rich in cultural and natural history. It includes six stunning mountain ranges. This is the very well-known Organ Mountains—its profile known by everyone who has ever visited or lived in southern New Mexico.

It also includes the Robledos, the East Potrillos, the West Potrillos, the Dona Anas, and the Sierra de las Uvas.

The Organ Mountains-Desert Peaks Conservation Act that Senator UDALL sponsored, that I have cosponsored, and that we have worked together on for all of these years will safeguard sensitive cultural, historical, and natural treasures in this monument. "Wilderness" designation for several of the most rugged and unique areas in the Organ Mountains-Desert Peaks will promote the monument as a world-class destination.

President Obama based his 2014 "national monument" designation on the legislation introduced by Senator UDALL and me, but, as with the Rio Grande del Norte, only Congress has authority to create additional federally protected wilderness.

We can now ensure permanent protection for the wildest places within the national monument, including the Organ Mountains but also the Potrillo, Uvas, and Robledo Mountains, as well as Aden Lava Flow and Broad Canyon.

I want to express my deepest gratitude to the diverse coalition of stakeholders from throughout our State who worked for decades to make the Rio Grande del Norte and Organ Mountains-Desert Peaks monuments a reality. From Tribal leaders to local elected officials, sportsmen, ranchers, land grant heirs, acequia parciales, small businesses, and conservation groups, so many New Mexicans came together and worked together to make this possible.

Once again, I especially want to thank my colleague, the senior Senator from New Mexico, TOM UDALL, and our former Senator Jeff Bingaman for their leadership and their partnership in getting this over the finish line.

These two monuments protect places that New Mexicans have long recognized as national treasures in their backyards.

Once we pass this legislation, we will put a capstone on years of work to make these monuments national models of community-driven, landscape-scale public lands conservation. I have no doubt that future generations will be grateful for what we are voting on here.

Speaking of future generations, I am also pleased that this public lands package includes my bipartisan bill, the Every Kid Outdoors Act. I want to thank Senator LAMAR ALEXANDER of Tennessee for joining me as the lead Republican sponsor of this bill. The Every Kid Outdoors Act will allow every fourth grader in America to visit our Nation's national parks or national forests or national wildlife refuges free of charge and to bring their families along with them.

Many of you might not know that long before I became a Senator, one of my first jobs in New Mexico was as the executive director of Cottonwood Gulch Expeditions—a 90-plus-year-old experiential education organization

that takes children and adults out into the backcountry of our public lands.

Connecting kids to the outdoors can inspire a lifelong connection to conservation, while reaping all of the health benefits that go along with an active lifestyle. Some of my favorite memories are from my adventures on public lands with my wife Julie and with our sons, Carter and Micah, and I want all kids to have those same opportunities to fall in love with our amazing public lands.

Since 2015, the Department of the Interior has offered fourth graders and their families free entrance to all federally managed public lands. I can't tell you how popular this program has become. The Every Kid Outdoors Act codifies this effort into law and will encourage the creation of more educational opportunities for all of our kids on their public lands.

I am so excited that we are encouraging a new generation of kids—a generation that will explore the rich natural and cultural history on display in our parks, forests, and monuments. After all, they are the future stewards of these special places that we all love.

I also want to celebrate that we are voting to permanently reauthorize what I believe has been one of America's most successful conservation programs ever, the Land and Water Conservation Fund.

In New Mexico, LWCF, as it is known—the Land and Water Conservation Fund—has protected iconic landscapes, such as the Valles Caldera, Ute Mountain, and Valle de Oro, without costing taxpayers a single dime. It has also provided for community projects, such as baseball and soccer fields, playgrounds, and picnic areas.

The broad support that LWCF has had from both Republicans and Democrats over the last half century is a testament to how well the program has worked all across this Nation; however, despite our best efforts to save LWCF, congressional inaction allowed the program to expire last year. I am proud to say that once we pass this package, we will no longer need to worry year after year about renewing this incredibly successful program. Now LWCF funds can continue being put to work protecting drinking water, providing public land access, and funding our neighborhood parks.

Finally, I would like to express my gratitude once more to Chairman MURKOWSKI for working with me to advance provisions in this package to improve public access on our public lands. Many pieces of the Sportsmen's Act are included in this, and I am especially pleased that we are passing my legislation, the HUNT Act, which will improve access to public lands wherever hunting, fishing, and outdoor recreation are permitted.

With that, I would like to encourage all of my colleagues to support this bipartisan package of bills. I am confident that they will grow our outdoor recreation economy, promote access to

our public lands, and support the sustainable use of our natural resources. What we will vote on will go a long way toward ensuring that the outdoor places that we all treasure will be protected for future generations of Americans to enjoy.

I yield the remainder of my time.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MURKOWSKI. Mr. President, we are at a point we have been hoping to get to for some time, which is debate on S. 47, the Natural Resources Management Act.

This is a compilation, if you will, of various lands bills, water bills, and sportsmen's bills. This is a lands package that Senator CANTWELL, Senator MANCHIN, and I recently introduced, but it is the result of years—multiple years, actually—of regular order process in the committees of jurisdiction—most notably, the Energy and Natural Resources Committee. It is the result of months of intense, bicameral back-and-forth negotiations with now-Chairman RAÚL GRIJALVA and now-Ranking Member ROB BISHOP of the House Natural Resources Committee. In that back-and-forth, we said: We are going to be very specific to our jurisdiction here, and we are going to stick to a four-corners agreement that we reached late last year and had actually confirmed here on the Senate floor in late December.

This package contains more than 100 public lands, natural resources, and water measures that have good, strong support in both Chambers. We are at that point where we can not only do the back-and-forth, but we can work through the back-and-forth that comes when we are able to advance a package like this to the floor.

I would like to thank Majority Leader MCCONNELL and Minority Leader SCHUMER for agreeing to add our lands package directly to the Senate calendar. This was an agreement that was made back in December. We were teed up and ready to go, but in fairness, you run out of time at the end of the year. There was an agreement that was reached here on the Senate floor between the two leaders and other colleagues to make sure that we would take up this package quickly and that we would work to address it early in this new Congress.

A lot of thanks go out to our leadership, and special thanks to my former ranking member, Senator CANTWELL, for working with me to get us to this point and to my new ranking member, Senator MANCHIN, for really stepping up and helping to manage this package just weeks into his new role as the ranking member.

Before I get into my full remarks, I also want to recognize the efforts of several of the other members of the Energy Committee who have really gone the extra mile to help us get to this point. On our side of the aisle, Senator GARDNER and Senator DAINES have been just dogged in making sure that—as issues arose and as we tried to cobble together different proposals, they were in the thick of it and have been helpful every step of the way. On the other side of the aisle, Senator HEINRICH and Senator WYDEN have been equally aggressive and helpful in all they have done to help advance and build support for this package.

It is probably true, if you were to look through this package, you are not going to see something that stands out with bright lights and flags that says these are sweeping changes in Federal policy. Most of the items we have included are probably considered too parochial, too local, too discrete to merit floor time on a standalone basis. That is the problem with lands packages, generally, in that they don't take up a lot of space when it comes to a Senate calendar, but I can tell you that every one of the provisions in this package matters to a community, matters to a constituency—many of them in Western States, States like mine, that have a great amount of public land, of Federal lands. These are, again, important at a host of different levels. So working with colleagues to understand their local priorities, their constituency, has really been a real pleasure as part of this process.

We worked very hard within the Energy and Natural Resources Committee this last Congress to prepare the vast majority of bills in the package, and our colleagues on the House side did the same. What we were able to agree to is a package that is sponsored by 50 different Senators in this past Congress. When you count the cosponsor provisions, this package addresses the priorities of close to 90 Senators. You have just about everybody in this body, Republicans and Democrats, who have come together and said: This is an issue in my region, in my State. These are issues we need to be working on together.

I think it is a real reflection of the priorities—the wide range of priorities—that Members have for their home States. I think it is also a sign, when you have more than 100 of these smaller, more discrete bills packages together—it is a sign that we are really overdue in moving these lands bills.

The last time we had a significant lands package on the floor was 2014. It has been 5 years since we have had an opportunity to move, again, a significant number of Members' priorities. I think it is also a testament to the long hours we have spent and our staffs have spent reviewing and working through and really trying to build the agreements on what we hope is soon to be ready to be signed into law.

It is important this bill, this package, becomes law in the near future.

What we do through this legislative package is we really provide new opportunities for economic development through land conveyances and exchanges. We expand and we enhance access for sports men and women on our Federal lands for hunting, fishing, and other outdoor recreation activities.

This should be noted. We have been trying to work a sportsmen's package—a compilation of bills that relate to access on our Federal lands for hunting, fishing, and shooting sports. We have been trying to do this for three Congresses running. It is long overdue.

We also feature provisions related to western water management, national park units, other Federal lands administered by the BLM and the Forest Service. One of the provisions that is probably most strongly supported in this package reauthorizes the deposit function of the Land and Water Conservation Fund. This expired last September. Instead of leaving that program subject to repeated lapses and short-term extensions—we see a lot of that around here—what we have done is we have agreed to remove that expiration date. We effectively make that permanent, and we paired it—this is very important to us. We paired that permanent authorization with meaningful reforms, with meaningful reforms that will help ensure greater balance in the funds that are allocated to the program.

I mentioned that many of these provisions might seem very local, very parochial. We have a provision that will facilitate the expansion of an airport in Custer County, SD. I have never been to Custer County, but when you have a constriction, a limitation on your ability to expand an airport because you need a land conveyance, it literally takes an act of Congress in order to make that happen.

Another provision in the measure will enable the construction of a large-scale solar project in the State of Arizona. This is going to bring about jobs, and it is going to bring about renewable energy opportunities. We have several more provisions that will designate national monuments but done the right way. The right way is with Congress in the lead, rather than the President exercising his authorities under the Antiquities Act—so making sure you have that level of consensus that is so important when designations like this move forward.

On some of the more Alaska-specific provisions, we have upheld our promise, a promise made decades ago to Alaska Natives who served during the Vietnam war. During this time of their service, they basically missed out on their opportunity to receive the land allotments that had been promised to them by the Federal Government under the land rights. What we have done is we have worked to address that inequity in a way that is fair to our veterans and fair to the process.

We provide routing flexibility for the natural gas pipeline that has been proposed for some time. We are able to create new opportunities for small, small, small communities, like down in Kake in Southeast Alaska or Utkiagvik up in the North Slope.

We also reached agreement to improve our volcano warning and monitoring system. Some of you might not think about why we need to be paying attention to our volcanoes. Believe me, you don't want to be in an aircraft when you are flying through volcanic ash. Knowing what is going on is important. Whether you are in Hawaii, Alaska, or another State, it is really just a matter of time before we see more eruptions. We saw it in Alaska with Mount Cleveland last year and Kilauea in Hawaii. So we are paying attention to that.

These are just a few of the highlights. I am going to be talking to more of them on the floor as debate goes on, but I also want to close with kind of an explanation of where we are in the process right now.

As I mentioned, when you have a package that has 100-plus bills—and we haven't done something like this in now 5 years—there is no shortage of provisions that we could include. We really worked hard. We did our best to work through everything we had on the table and included as much as we could reach agreement on. I think we all can agree there is more we can do, and we should try to do, and that our work on our lands and our resource issues is not going to end just because we passed this bill.

That is why I would encourage folks to view this as a first step. It is literally a downpayment. We say we are clearing the decks of the provisions that have been outstanding for a long time right now and that are ready to go right now.

I know we have several Members who would like to have amendments. We want to try to find a way to accommodate some of those, but that is going to take a level of cooperation. It always does. We may be able to take some by unanimous consent or by rollcall vote, but there are also going to be some we are just not going to be able to accept at this time and on this package.

Again, I would take back to the bipartisan agreement that we had and the spirit of that agreement, that we want to stay away from things that are outside our jurisdiction or that would create problems with the House. The House has been good—a cooperative arrangement up to this point in time. I think it is fair to say we have had some very good signals that they are anxious to receive this from the Senate and thus help us facilitate its passage into law.

For those who aren't able to add their specific provisions, you certainly have my commitment to work with you in this Congress, but in the meantime I think what you have in front of you is an excellent package. It is time

for us to pass it. It is time to show our strong support, send it to the House of Representatives, and then to the President's desk.

I am pleased to yield and recognize my friend and new colleague on the Energy Committee—not a new colleague but certainly my new ranking member—who has been a great person to work with and a real help in all of our efforts.

The PRESIDING OFFICER (Mrs. BLACKBURN). The Senator from West Virginia.

Mr. MANCHIN. Madam President, first, I am so pleased to work with my good friend Chairman MURKOWSKI on something she has worked on for quite some time with Senator CANTWELL. Taking up this new position, I want to make sure I help them the best I can to bring this to fruition. That is what we are working on right now. To have S. 47 in front of us is pretty special.

The public lands package includes such a wide variety of bills, as the chairman has spoken about. There are currently more than 130 different pieces of individual legislation that will address many Members' priorities for public lands and natural resources in their respective States. A public lands package doesn't come together that often. I think it has been 5 years, as was said, and they are far and few between. When it does, we try to accommodate and do the right thing that really helps our country and future generations.

Many of the bills in this package provide technical corrections and improvements to existing policies but do not have a significant impact outside their local sphere. However, these minor bills will improve the way our public lands are managed and conserved at the ground level. While these bills are important to the residents of the small towns like mine across America and Members of this body who represent them, rarely will these individual bills receive the floor time they truly deserve. Because of this, it is necessary for us to move these bills together in this package, which is what we have coming up before us probably by tomorrow.

This package was literally years in the making. As I said, it builds on the package that was negotiated last December by Chairman MURKOWSKI, then-Ranking Member CANTWELL, then-Chairman BISHOP, and then-Ranking Member GRIJALVA of the House Natural Resources Committee. Together, this group came together and negotiated a large package. Unfortunately, the Senate could not pass the package last December, which is why we find ourselves here today.

I am grateful for the opportunity to serve as the ranking member of the committee and to be working with my friend from Alaska Chairman MURKOWSKI on this package but also on many other issues we will consider in the committee in the coming time.

I would also like to take this moment to thank the committee staff, the

majority and minority, as well as the floor staff for their diligence in working on this package. I would like to include a list of names who worked on the package for both me and Senator CANTWELL and in our committee over the last few months. I would also like to include the names of the floor and leadership staff.

Madam President, I ask unanimous consent that this list of names be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 47 Lands Package Staff Team: Mary Louise Wagner, Democratic Staff Director; Sam Fowler, Democratic Chief Counsel; David Brooks, Democratic General Counsel; Bryan Petit, Democratic Senior Professional Staff Member; Rebecca Bonner, Democratic Professional Staff Member; Camille Touton, Democratic Professional Staff Member; Sarah Venuto, Democratic Staff Director; Lance West, Democratic Deputy Staff Director; Elliot Howard, Democratic Professional Staff Member; Lauren Vernon, Democratic Research Assistant; Tom Schaff, National Park Service Bevinetto Fellow; David Poyer, Democratic Staff Assistant; Kennedy Woodard, Democratic Staff Assistant; Cameron Nelson, Democratic Research Assistant; Sean Byrne, Legislative Assistant; Gary Myrick, Secretary for the Minority; Tricia Engle, Assistant Secretary for the Minority; Ryan McConaghy, Floor Assistant to the Democratic Leader; Daniel Tinsley, Floor Assistant to the Democratic Leader; Brad Watt, Floor Assistant to the Democratic Leader; Stephanie Paone, Democratic Cloakroom Assistant; Maalik Simmons, Democratic Cloakroom Assistant; Nathan Oursler, Democratic Cloakroom Assistant; Mary Frances Repko, Minority Staff Director; Andrew Rogers, Minority Chief Counsel; Christophe Tulou, Minority Senior Counsel and Policy Director; Elizabeth Mabry, Minority Professional Staff Member; and John Kane, Minority Senior Professional Staff Member.

Mr. MANCHIN. This package enjoys the support from numerous national stakeholder organizations across the political spectrum. For example, the National Wildlife Federation and the Congressional Sportsmen's Foundation are two of its strongest and most dedicated advocates. I thank them for their support. I ask unanimous consent that the list of organizations writing in support of this bill be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

The organizations include: Bi-partisan Policy Center Action; League of Conservation Voters; Boone and Crockett Club; Ventura County; Chugach of Alaska Corporation; The Wilderness Society; conservation groups including National Audubon Society and the Sierra Club; livestock groups such as the Public Lands Council, National Cattlemen's Beef Association, and American Sheep Industry Association; outdoor recreation groups including Access Fund, American Alpine Club, American Canoe Association, American Whitewater, Colorado Mountain Club, International Mountain Bicycling Association, Outdoor Alliance, Outdoor Industry Association, Surfrider Foundation, The Conservation Alliance, The Mazamas, The Mountaineers, Winter Midlands Alliance; organizations representing the Outdoor Recreation

Roundtable including American Horse Council, American Sportfishing, Association Archery Trade Association, Association of Marina Industries, Boat Owners Association of the United States, The Corps Network, International Snowmobile Manufacturers, Association Marine Retailers, Association of the Americas Motorcycle Industry Council, National Association of RV Parks and Campgrounds, National Marine Manufacturers Association, National Park Hospitality, Association National Shooting Sports Foundation, PeopleForBikes, Recreational Off-Highway Vehicle Association, RV Dealers Association RV Industry, Association Specialty Equipment Market, Association Specialty Vehicle Institute of America; sportsmen's groups including American Fly Fishing Trade Association, American Sportfishing Association, American Woodcock Society, Angler Action Foundation, Archery Trade Association, Backcountry Hunters & Anglers, Bass Anglers Sportsman Society (B.A.S.S.), Bear Trust International, Bonefish & Tarpon Trust, Boone & Crockett Club, California Waterfowl Association, Camp Fire Club of America, Congressional Sportsmen's Foundation, Conservation Force, Council to Advance Hunting and Shooting Sports, Delta Waterfowl, Ducks Unlimited, Fly Fishers International, Houston Safari Club, Izaak Walton League of America, Land Trust Alliance, National Deer Alliance, National Marine Manufacturers Association, National Shooting Sports Foundation, National Wildlife Federation, North American Falconers Association, Orion: The Hunter's Institute, Outdoor Industry Association, Outdoor Recreation Roundtable, Pheasants Forever/Quail Forever, Pope & Young Club, Public Lands Foundation, Quality Deer Management Association, Rocky Mountain Elk Foundation, Ruffed Grouse Society, Sportsmen's Alliance, Texas Wildlife Association, The Nature Conservancy, Theodore Roosevelt Conservation Partnership, Trust for Public Land, Whitetails Unlimited, Wildlife Forever, Wildlife Management Institute; and The Corps Group Network with many national and regional organizations including Appalachian Trail Conservancy Leadership Corps, Citizens Conservation Corps, Harpers Ferry Job Corps Civilian Conservation Center, and Stewards Individual Placement Program.

Mr. MANCHIN. This package should be warmly received by both Democrats and Republicans. It is truly a bipartisan effort. For starters, the package includes numerous land exchanges and conveyances, designates over 1.3 million acres of wilderness, designates 367 miles of wild and scenic rivers, and provides boundary adjustments, designation changes, and management improvements to numerous areas in all four corners of the country. All of this will improve access, provide recreational opportunities, and allow four of our Federal public land management Agencies—the Bureau of Land Management, the Forest Service, the Fish and Wildlife Service, and the National Park Service—to better serve the public through their varying missions as directed by Congress.

Our public lands are truly one of the Nation's greatest treasures, and we are unique in how we set aside some of our most special places in the country to be conserved, protected, and easily accessible to the public so we can all enjoy the beauty these areas offer. Usually, these lands are located in

rural areas, with few other economic opportunities, making these treasures economic engines for the surrounding communities. In fact, data from the U.S. Department of Commerce's Bureau of Economic Analysis shows the outdoor recreation economy accounted for 2.2 percent of GDP and grew faster than the overall economy.

According to the Outdoor Industry Association, outdoor recreation supports 7.6 million direct national jobs and \$887 billion in consumer spending. Overall, this contributes billions to the Federal, State, and local governments in tax revenue.

In West Virginia, outdoor recreation supports 91,000 direct jobs and \$9 billion in consumer spending. Each year, 67 percent of West Virginia residents take to the outdoors to escape the hustle and bustle of their daily lives to enjoy the peace and certainty of our wild and wonderful outdoor heritage. It is truly almost heaven. If you haven't been there, we welcome you.

This package provides permanent reauthorization of the Land and Water Conservation Fund, which Senator MURKOWSKI has pointed out. This is something most every one of us—535 Members of Congress—is truly supportive of because it affects our States and our districts. LWCF is a simple yet highly effective conservation tool with unrivaled success over the last 50 years. Every year, \$900 million in royalties paid by energy companies drilling for oil and gas on the Outer Continental Shelf are put into this fund.

Unfortunately, LWCF expired last September. The National Resource Management Act provides permanent reauthorization of the LWCF. That is enough to bring all of us together.

This permanent reauthorization ensures that States and Federal public land management Agencies have the ability to continue to protect and conserve our natural resources for the next generation, and it does so without relying on taxpayer dollars.

Since 1965, more than \$243 million in LWCF funds have been spent in my little State of West Virginia on more than 500 projects, both on State and Federal lands. This includes improvements to local parks and public spaces and 54 of our little State's 55 counties. It also funded acquisition for our most cherished public lands, such as the Gauley River National Recreation Area, the New River Gorge National River, and Dolly Sods in the Monongahela National Forest.

This package also includes some long-awaited priorities for our sportsmen's groups. Each year, more than 350,000 hunters take to the woods in West Virginia to pursue game. These hunting traditions directly benefit rural communities, generating annual revenue and supporting 5,000 jobs. According to the West Virginia Division of Natural Resources, hunting-related expenditures total nearly \$270 million of the State's economy. Aside from this, and perhaps most importantly,

hunting in West Virginia is one of our oldest pastimes in which friends and families can gather and spend quality time together.

As I work with other Members of this very body on difficult issues where we may strongly disagree with each other, we are able to set aside differences when it comes to sportsmen's traditions. The conversations quickly turn to stories of hunting a deer with our children and grandchildren or taking a child to the first deer camp. It is important that we provide opportunities to keep these traditions alive.

The Natural Resource Management Act will expand and enhance sportsmen's access by making Federal lands throughout West Virginia and the Nation "open unless closed" for fishing, hunting, recreational shooting, and other outdoor activities.

As a hunter myself and as vice chair of the Congressional Sportsmen's Caucus, I know how frustrated sportsmen's groups have been in trying to get their bills passed the last few years. That is one of the reasons I am pleased that Chairman MURKOWSKI's bill, of which I am an original cosponsor, the Sportsmen's Act, is included in this package.

The Natural Resource Management Act also establishes several national heritage areas, including one in West Virginia, the Appalachian Forest National Heritage Area. National heritage areas are designated by Congress as places where natural, cultural, and historic resources combine to form a cohesive, nationally important landscape. The Appalachian Forest National Heritage Area has been operating as an ad hoc national heritage area for more than a decade. Despite not having official designation, the Appalachian Forest Heritage Area has continually done a great deal for West Virginia. For example, the Appalachian Forest Heritage Area administers a credible AmeriCorps program. In one recent program year, 38 AmeriCorps members completed more than 65,000 service hours directly benefiting local rural areas in West Virginia, as in every State. These 38 members improved 1,700 acres of public land and managed more than 1,000 total volunteers.

By providing the official NHA designation, the Appalachian Forest Heritage Area can earn the national recognition it deserves and is now also eligible for grants and technical assistance from the National Park Service. This will take their programmatic efforts and other services they provide to the region to the next level.

I believe that this package is a great bill for both my Republican and Democratic friends. Numerous pieces of legislation that have been longstanding priorities for many Members are included.

I would like to thank Chairman MURKOWSKI again, as well as other members of the Energy and Natural Resources Committee, for their efforts to reach an agreement on this bill. For those of

our colleagues who felt that they were not able to get exactly what they wanted or exactly what they would love to have had in this bill, we are committed to working with them to further help them in getting access to any other piece of legislation we will have working through the committee.

I want to thank the majority leader for his willingness to bring this bill to the floor. I believe it is time to send the bill to the House and to the President for his signature. We have had a great working relationship with Chairman GRIJALVA, and he is committed to working with us as we work through this process.

There are many pieces of good legislation in this package that will be valued for years to come by communities across the country and each one of our States. I strongly encourage Members to vote yes on this final package.

Thank you.

I yield the floor to the Senator from Montana.

The PRESIDING OFFICER. The Senator from Montana.

Mr. TESTER. Today is a special day. Today is a culmination of years of work. I mean that. We were literally on the floor 7 or 8 years ago with a bill similar to this one that did not get across the finish line. We were here 2 years after that and 2 years after that, and now we are here today.

Before she leaves the floor, I want to thank Senator MURKOWSKI for her leadership. Senator CANTWELL is not here, but I want to thank her for the work she has done on this bill because it was big. I want to thank Senator MANCHIN for continuing the legacy of these two, and, hopefully, it can continue over the next year. Quite frankly, bills like this don't get done every day, and they don't get done by accident. They get done by leadership and folks working hard. I thank both of you. If Senator CANTWELL is listening, thank you very much for the work that has been done.

I am very proud to stand here on behalf of countless Montana small businesses and community members who had a crazy idea a few years ago about not wanting an out-of-State mining company—actually, not even wanting an out-of-country mining company, a foreign mining company—to expand the mine on the doorstep of Yellowstone National Park. I am standing here today to tell them that I heard them. I listened to them, and I was not going to stop until this bill was signed into law.

I want to take you back about 4 years. A group of small business owners who cared about the future of their community got together after they caught wind of two mining companies that were planning to expand their operations on nearby public land, which threatened the area's rapidly growing outdoor economy—one of the fastest growing economies in the State of Montana. This mine expansion was set to take place in a place we call Paradise Valley. That place is called Para-

dise Valley for an obvious reason. It truly is a piece of paradise. It is the headwaters of the Yellowstone River, which is one of the longest undammed rivers in the world. Paradise Valley is flanked on both sides by legendary mountain ranges: the Gallatins and Absarokas. It is the gateway to our Nation's first national park, Yellowstone.

These business owners—who ran fly shops, breweries, guide and outfitter businesses, and dozens of other local hangouts—were relying on literally hundreds of thousands of visitors to flock to this region to experience something they can experience nowhere else on Earth. They were rightly concerned that multiple large-scale mining operations would put their local economy at risk and, in fact, put them out of business.

I went in October of 2015 and met with these folks. I listened to their concerns that these mines would devastate their businesses and the breathtaking landscape in which they have chosen to live. In that moment, it was clear to me that the community needed permanent protection. So I announced my intent to introduce a bill—one of the bills that is in this lands package that we are taking up here today—to do exactly that: Provide permanent protection for Paradise Valley.

After months of working together, this bill became known as the Yellowstone Gateway Protection Act. This bill is a result of collaboration; it is the result of hard work, and it does exactly what is in the title. It will protect the gateway to Yellowstone by permanently eliminating the ability of proposed mines to expand onto public land near the doorstep of our Nation's first national park, Yellowstone.

Responsible, natural resource development plays an important role in Montana's economy, but there are simply some places where you should not drill or dig, and one of those is at the doorstep of Yellowstone National Park. By permanently protecting the gateway, we can protect thousands of jobs and billions of dollars that flow into Montana's economy every year.

Senator MANCHIN talked about the impact of the outdoor economy on West Virginia. We are very much a part of that outdoor economy. Fly fishermen spend more than \$70 million annually at these local businesses while trying to earn the respect of Yellowstone River's brown, rainbow, and cutthroat trout. In total, the communities in Park County see nearly \$200 million pumped into their local economy every year, a trend that continues to rise and rise rapidly.

Quite frankly, if you haven't been there, I will just explain it this way to you: God doesn't make places like this everywhere. It is a special place. It is a place so special that the people who live there understand that it could go away with one bad decision. So we need to protect it and protect those small businesses and protect that way of life.

That is why this week, as we pass this lands package that the Yellow-

stone Gateway Protection bill is a part of, these business owners now can sleep at night, knowing that the businesses they have built over the past many decades will continue and they will be able to continue to look for the opportunity that God has created into Paradise Valley.

But this Yellowstone Gateway Protection Act isn't the only provision that Montanans are fighting for. The Land and Water Conservation Fund is the best conservation tool this country has. It does a lot of really good things, including access to public lands, including making sure we have more of our hunting, fishing, and hiking spots available to folks who don't have to be millionaires. Since this Land and Water Conservation Fund was founded some 5 decades ago, LWCF has invested hundreds of millions of dollars to increase outdoor activities on our public lands. We have used it to preserve tens of thousands of acres of the world-class elk habitat in central Montana.

We invested LWCF dollars to increase fishing access sites along the rivers that Norman McLean made so famous in "A River Runs Through It"—the Blackfoot and the Missouri. LWCF is a driver of Montana's ever-growing, increasing \$7 billion-a-year outdoor economy. Best of all, it is paid for by offshore drilling fees, so it doesn't cost the taxpayer a dime.

Despite all of this success, the majority has allowed LWCF to expire twice in the last 4 years. I will tell you that this uncertainty has taken a toll on Montana's hunters, hikers, anglers, and businesses, which rely on our Nation's best conservation tool.

This lands package will again guarantee that LWCF will never expire again. It permanently reauthorizes this very successful initiative, and it guarantees that Montanans and all Americans have the long-term ability to expand and protect public access for future generations—ecosystems that, by the way, may not be around in another 10 or 20 years.

Passing this legislation is a big win for our public lands and for the outdoor economy, but our work is not done yet. We have more work to do.

Permanently reauthorizing LWCF is very, very important, but where the rubber really meets the road is LWCF funding.

LWCF was authorized to receive \$900 million some 50 years ago. In the President's budget last year, he proposed \$8 million for LWCF. Remember what I just said. Over 50 years ago, it was meant to have \$900 million. Last year, the President's budget proposed \$8 million—a cut of nearly a half billion dollars from the previous year.

After Congress rejected that proposal and it appropriated a little over \$400 million for LWCF, nearly every Member of the majority, except one, right after we put those dollars in, voted to rescind a chunk of those dollars.

So the fact of the matter is that without mandatory funding, our public



lands will remain a victim to this political seesaw.

Save for the sake of our public lands, for the sake of our kids, and for the sake of clean air and clean water, I think this bipartisan lands package serves as a launching point toward mandatory funding for LWCF.

I know there is already a bipartisan bill out there that does exactly that. So I would just say that we have part of the job done. We ought not to be taking victory laps for doing part of the job. We have more work to do, and that is to fully fund the Land and Water Conservation Fund, and, hopefully, we will get a bipartisan effort to do exactly that because these are important investments. They are investments that will maintain a quality of life not only today but tomorrow, for future generations and for them the opportunity to reap the kind of economic rewards that we do because of the foresight and vision of generations that came before us.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

#### ORGAN DONOR PROCUREMENT

Mr. MORAN. Madam President, I rise today to express my dissatisfaction and disappointment over what is a life-and-death matter for many Americans. My disappointment is about the actions recently taken by the Center for Medicare and Medicaid Services, and the action they took was reinstating the organ procurement organization LiveOnNY.

I am a Kansan. This is not an organization that is located in my State, but this decision by CMS, when combined with recent policy changes from the Organ Procurement and Transplant Network, misses the mark, and it misses it widely. We should be improving the organ procurement process and increasing the number of available organs for transplant rather than expanding the distance organs travel and moving additional organs from high donation areas to low donation areas.

CMS' recent decision to renew this contract, which was initially meant to be canceled due to years of poor performance, is troublesome. This organization was the only organization out of the 58 organ procurement organizations to have a contract canceled for poor performance, which was only done after numerous reprimands and penalties that failed to lead to improvement.

Conversely, it was reassuring that CMS was finally going to take some responsibility toward ensuring that donor organizations are adequately performing their jobs and protecting patients. However, CMS quickly reversed course and abdicated their duty to protect some of our Nation's most vulnerable patients when they announced they would reinstate this license.

Our Nation continues to face a shortage of organ donors. We need more donor organs, but our agencies and or-

ganizations, which should be demanding accountability and improvements, continue to turn a blind eye to a culprit, and that is the consistent failure to live up to expectations and to waste organs that could save lives.

This failure to address this issue increases wait times for patients who need organs and causes unnecessary stress and anxiousness for those who are on that waiting list for a potential organ at a time when they grow sicker and sicker.

Health and Human Services, CMS, or the Center for Medicaid and Medicare Services, HRSA, OPTN, and UNOS are all abbreviations for organizations that share the blame for the predicament our country finds itself in.

This is perhaps the most important part of what I want to reiterate or state again on the Senate floor: These organizations have decided that instead of pushing organ procurement organizations to do their job, they will simply draw more organs away from areas with quality donor organizations and high donation rates—places in the Midwest, places like Kansas, places like Missouri. So the solution to a problem—the lack of organs to be transplanted—is not to get more people to donate organs and to improve the organizations responsible for those donations but, instead, to take organs from places that are doing their job and transmit them across the country.

I have written to and am waiting on responses from the Secretary of Health and Human Services, Mr. Azar. There are two letters, in fact, that remain unanswered.

The first letter was sent by Senator BLUNT and me expressing our concern at OPTN's decision to ignore transplant experts and push through a dangerous new policy related to liver allocations for donation.

The second letter, signed by a quarter of the U.S. Senate, expresses broad concern with OPTN's process and the reasoning behind a proposal that appears to disadvantage areas that have actually done their jobs.

This new policy punishes those who are successful in procuring organs for donation and rewards those who continue to fail and do not appear to attempt to make improvements.

Let's recall that the new policy that we are complaining about was rammed through by OPTN and UNOS, and it will simply shift donated organs, like livers, to wider areas across the country while doing nothing to improve the donor rates countrywide or to improve the performance of OPOs. This is simply an avoidance of the problem, not a solution to it.

CMS has failed to conduct proper oversight of organ procurement organizations, leading to organ shortages that carry a real cost in patient lives, who die while waiting on transplant lists.

This is a matter that affects many States, and it is time for us to have answers from those who make these deci-

sions and who make decisions without input from those affected.

Again, I ask my Senate colleagues to pay attention to this issue—liver transplants, something that will make a difference in the lives of many Americans in your States and in mine.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

#### FAIR COMPENSATION FOR LOW-WAGE CONTRACTOR EMPLOYEES ACT OF 2019

Ms. SMITH. Madam President, last night President Trump delivered the State of the Union Address, and he talked about a lot of issues, including immigration and national security, healthcare, and prescription drugs. He talked about the need for bipartisanship. While I don't always agree with the President, I do agree that we should seek bipartisanship where we can, and today I would like to address one area that is ripe for bipartisan action.

I am so pleased that Senator BROWN, Senator VAN HOLLEN, Senator WARNER, Senator CARDIN, and Senator KAINE have all played key roles in the effort I am going to talk about this afternoon, and many of them will be joining me today on the Senate floor. In addition, Senator CASEY will be joining us, and I am so glad that he is adding his voice.

So many Americans suffered during the wasteful and unnecessary government shutdown that recently ended, but for one group of Americans, the shutdown isn't over. These Americans are employees of Federal contractors. Now, in previous shutdowns, Federal contractors didn't receive backpay, and they haven't received backpay after this shutdown, either. Now, that is not fair, and several of my colleagues and I are determined to fix this. So over the next hour or so, my colleagues and I will come together on the Senate floor to talk about the importance of providing backpay to the employees of Federal contractors who lost over a month's worth of wages.

Thousands of Federal contract employees work shoulder to shoulder with Federal employees to make the government work. They clean office buildings, provide security, serve millions of meals a year, and do countless other jobs.

In an op-ed published today, Congresswoman AYANNA PRESSLEY, the sponsor of the House companion to our bill, and I shared a story that we heard from Tamela Worthen, a security guard at the Smithsonian Institution. Tamela said that she was worried that she would fall behind on her mortgage and car payments, ruining the good credit that she had worked so long and hard to build. As she spoke, beads of sweat started rolling down her face. We were wondering: Was she nervous about speaking in front of a crowd?

But, no, as Tamela explained, she is diabetic and has high blood pressure. Without her regular paycheck, she hadn't been able to afford the copay for



a doctor's appointment to have her blood tested and her prescription renewed. So she was going without her medicine.

Too often, these Federal contract workers are invisible to the public, but I want them to know that those of us speaking on the Senate floor today haven't forgotten about them.

Now I would like to read a little bit of a letter that I got from a constituent in Minnesota named Annie. Annie is a chemist who works as a Federal contractor at the Environmental Protection Agency in Duluth, MN, and she wrote me a powerful letter about how the shutdown affected her. Here are a few pieces of what she shared.

Annie wrote:

I look forward to my job because I am surrounded by colleagues who are passionate about their work and want to make a significant change towards bettering our environment. . . . This work contributes to a large collaborative effort of tracking and monitoring the health of the Great Lakes, a priceless freshwater resource.

Annie went on to say:

My frustration with the shutdown stems not only from a personal angle, but also from the halt it has put on environmental research.

She says:

I am losing wages that I count on each month to make significant payments towards my student loans and contributions to my savings, including my retirement savings. I can honestly say I never thought I would be applying for unemployment, especially at 31 years old, but today I did just that. Of course, collecting unemployment is better than no wages at all, but it is still a far cry from earning my normal income.

Annie finishes by saying:

The irritation I feel about the shutdown extends beyond lost wages. I am very passionate about my work, and I believe that what I do is important and contributes to a critical subject: The environment.

Now, Annie makes a great point. Federal contract workers like Annie do important work for people in Minnesota and across the country, and it is wrong for Annie to go without pay because of a shutdown fight that had nothing to do with her.

The Senate recently passed legislation to provide backpay to Federal employees authored by Senator CARDIN, and I am very honored to be able to support Senator CARDIN in that work. That bill passed without a single Senator objecting.

Now, I strongly support providing backpay to Federal employees, and it is just common sense that the contractors who work side by side with these Federal employees should get the same backpay that they deserve as well.

The shutdown was wasteful, and it made pawns of hundreds of thousands of people. Yet Federal contractors have never been made whole in any shutdown, including this last one, and we think that needs to change.

Why should these hard-working people be forced to pay the price for the shutdown?

So we are working to fix this, and we have bipartisan legislation to do so.

Here is what our bill would do. It would use an existing contracting process that is known as equitable adjustment to make sure that contractors can provide backpay to workers, with full backpay to low-wage workers and partial backpay to those who are earning higher incomes.

Our effort is gaining support every day. In the Senate, we now have bipartisan support with a group of more than 40 cosponsors and counting, and nearly 70 organizations, including the AFL-CIO, the National Partnership For Women and Families, Oxfam America, the United Methodist Church General Board of Church and Society, and the United Steelworkers that have all written in support of providing backpay for these workers.

This is what their letter of support says in part: "These federal contract workers help keep our nation running, even if their paychecks aren't cut directly by the U.S. government, and they need their paychecks just as badly as federal employees and deserve the same considerations when the government shuts down."

So I want to say thank you to everyone who continues to make their voices heard on this important issue. I am especially thankful to the workers who shared their stories, like the great-grandmother who is taking care of her two great-grandchildren, the employee who was furloughed from two different jobs who now can't afford his electric bill, and the worker at risk of losing their home because they couldn't pay their mortgage.

Providing backpay to contractors is an important opportunity for Republicans and Democrats to do what is right and to come together. If you think it is wrong that hard-working people didn't get paid because of a shutdown that had nothing to do with them, then it is time for you to make your voice heard. Let's fix this, and let's fix it through hashtag "BackPayNow."

Thank you very much.

I yield to Senator CARDIN from Maryland.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Madam President, first of all, I want to thank Senator SMITH for her leadership on this issue. This involves 1.2 million contract workers who could very well not only lose their pay from the 35 days of the Government shutdown but not have any mechanism to receive that backpay.

Senator SMITH has filed legislation that is fair legislation, it works, and it is the right thing for us to do. These workers did not lose their pay because of anything they did wrong. These are the same as government workers because they are performing government work. They are maintaining our buildings, cleaning our buildings, providing security for government buildings. In some respects, these are very similar to our direct Federal workforce.

We know that this 35-day, dangerous, outrageous, and unnecessary shutdown

caused tremendous harm. We know the harm it caused 800,000 Federal workers. Over half were forced to work without pay, but they showed up and worked because they are patriotic Americans who believe very much in the mission they are doing on behalf of this country, the noble service of public service on behalf of their fellow citizens. Can you imagine trying to figure out how you are going to find money to put gasoline in your car so you can drive to work to do your service and not get paid for that day of work or how you are going to pay for your daycare or how you are going to pay for your daily expenses? But they are loyal, patriotic people who showed up every day for work. Close to 400,000 were furloughed and locked out without pay.

As Senator SMITH said, this body, with the help of the House and the signature of the President—S. 24, legislation I authored with Senator SMITH's help, the Government Employees Fair Treatment Act, makes it clear that in the event of a shutdown, our Federal workforce will get their paychecks. They will not get them timely. They are still going to be inconvenienced. They are still not going to be able to pay their bills. But they will know that at the end of the day, when government reopens, they are going to get their paychecks, as they should and as every Member of this body agreed is the right thing to do, because our Federal workforce was not responsible for this shutdown.

But it goes beyond just 800,000. It even goes beyond our contract workers. Our economy itself suffered. I had an opportunity to be the ranking Democrat on the Small Business and Entrepreneurship Committee. I can tell you that small businesses throughout the country were very much impacted by this 35-day shutdown. I am talking about small businesses that didn't have a direct relationship with the government or contract with the government—small businesses near our national parks.

I had a meeting with Senator VAN HOLLEN in Montgomery County, MD, with small businesses in the community. Because there were so many Federal workers who had been furloughed without pay and contract workers who didn't have paychecks, the average business that was there that day—there were many there—their business was down 20 to 60 percent. They are not going to be compensated for this.

Of course, the American people were denied the services they needed, whether it was the FBI in full force to keep them safe or food inspectors doing their work. This was a disastrous shutdown.

We can do something for the contract workers. As I said, these are people who are doing work on behalf of this Nation. They are working in our buildings. They are keeping our buildings safe. They are keeping our buildings clean. They are working for modest pay. These are not highly paid jobs.

They were not paid during those 35 days, and unless Senator SMITH's legislation is passed, they will not get compensated.

I want to thank Senator SMITH for S. 162, the Fair Compensation for Low-Wage Contractor Employees Act. It is well-drafted using existing mechanisms to compensate low-paid contract service workers. It is the right thing to do. We estimate that as many as 1.2 million people could be affected by this. This has had a major impact on their lives and on our economy.

During the shutdown last month, I received a letter from Robert Conrad, president and CEO of LJT & Associates. LJT & Associates is a mid-sized firm based in Columbia, MD, that is the top contractor for NASA's Wallops Island flight facility on the Eastern Shore.

Mr. Conrad wrote: "The shutdown has had a significant negative impact on our business and, more importantly, our employees and their families . . . As a result of this lengthy government shutdown our company has not been paid by NASA and other agencies for work performed in November and December 2018 and this lack of payment continues to worsen by the day. As a result, we are faced with decisions to furlough or lay off our valuable employees. Unlike federal civil servants, our employees will not receive pay for suspended work during the shutdown, making the impacts of the layoff a permanent financial burden for them and their families."

Well, let's respond to Mr. Conrad. Let's respond to those 1.2 million Americans who are doing work on behalf of all of us. The shutdown was not their fault. As we compensated our Federal workforce, let's also provide a safety net for those who lost their compensation as a result of this shutdown, the low-wage service workers.

I hope we can find a way to quickly pass S. 162, and I again thank Senator SMITH for her leadership.

Ms. SMITH. Will Senator CARDIN yield?

Mr. CARDIN. I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. SMITH. Senator CARDIN, I want to take a moment to thank you so much for your leadership on this and for making sure that Federal employees get the backpay they deserve. I know that when this issue first became clear to me, you were one of the first people I called over the Christmas holiday to talk about what we might do to fix this problem. So I greatly appreciate your partnership on this, along with the partnership of so many of my other colleagues here but particularly your help on this. Thank you very much.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Madam President, I want to thank Senator SMITH, who called me during the holiday recess and said: We have this problem. How do we fix it?

I really appreciated the phone call I received from Senator SMITH. She recognized that we had to build support for the legislation but also make it work right because it is much more complicated to figure out the target group we are trying to help to make sure it is drafted in the right way. She reached out to get that type of help on drafting, as well as getting support among the stakeholders to make sure the bill was properly drafted. It took some time, and now we have a bill that we can all be proud to support.

So once again, I want to thank my colleague from Minnesota for the manner in which she has gone about presenting this legislation.

Ms. SMITH. Thank you.

Thank you, Madam President.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. VAN HOLLEN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. VAN HOLLEN. Madam President, I thank the Senator from Minnesota, Senator SMITH, for organizing this discussion on the Senate floor today to bring attention to the plight of the Federal contract employees who were locked out of their jobs for 35 days and, therefore, didn't get paychecks for 35 days, even though the bills kept coming in. I hope that we will avoid another government shutdown in the coming weeks.

We should also use this time to make sure that we repair some of the damage that was caused by the unnecessary and really shameful record-long 35-day government shutdown. It should never have happened. It caused disruption throughout the country. Small businesses, in many cases, were unable to get loans. We know that we had 800,000 Federal employees who didn't get paychecks and that Federal service contract employees went without work in many of our Agencies.

I was pleased that this body, on a bipartisan basis, adopted a measure to make sure that Federal employees receive backpay. I was pleased to work with Senator CARDIN, Senator SMITH, and others on the Republican side to get that done. That was really important. We provided Federal employees with the certainty that, at the end of the shutdown, they would all receive backpay, but we have not done anything similar for Federal contract employees, and we need to do that. Senator SMITH and I and others have introduced legislation that we hope we can incorporate into whatever agreement we reach to reopen the government that addresses the plight of these Federal service contract employees.

I just want to bring to the attention of our colleagues one of those individuals. Her name is Lila Johnson. Ms. Johnson was my guest last night at the

State of the Union Address. I invited her here to draw attention to the plight that she and others find themselves in.

She is 71 years old. She lives in Hagerstown, MD. She commutes about 2 hours a day to the Department of Agriculture, where for 21 years she has provided janitorial services to help keep the Department of Agriculture up and running and clean. She is, right now, the primary breadwinner for two of her grandchildren, who depend on her and the support she receives from her job to make sure they can put food on the table and pay for medical expenses and pay for housing. When the government shut down for 35 days, Ms. Johnson didn't get a paycheck.

She is not a highly paid employee like most of these Federal service contractors whom we are talking about. We are talking about people who are living, really, paycheck to paycheck—people who provide janitorial services and cafeteria services. We are talking about security guards and some construction workers around the country. We are talking about lower wage and middle-wage employees who work for companies that contract with the Federal Government to provide services.

So Ms. Johnson is really scrambling now to pay the bills and to keep her financial head above water. That is why I was pleased that she could join us last evening. I had hoped that, maybe, the President would have said something about service contract employees.

Many of us wrote a letter to the Office of Management and Budget, asking the OMB to use its contract authority to try to make these Federal service contract employees whole because we believed that it had some power to make contract adjustments to fix some of this problem. We don't know exactly what the extent of the OMB's authority is, and we don't know if it will use it in the administration even if it has it. That is why it is really important that we move forward and act on this legislation.

I think we all agree that it is not fair to punish people who have had nothing to do with the political dysfunction in this body and in Washington. Ms. Johnson has had nothing to do with the dispute that we have had in this body and the dispute with the President. For goodness' sake, she works for the Department of Agriculture. The Department of Agriculture has nothing to do with how we most effectively provide border security. The Department of Agriculture is one of the eight or nine departments that was held hostage for a dispute that had nothing to do with the Department of Agriculture's mission.

That is why people like Lila Johnson have been caught up in something they had nothing to do with. It seems to me that the right thing for us to do is to make sure the people who are sort of caught in the political crossfire are not the ones who, at the end of the day, are punished.

I hope we will do the right thing on a bipartisan basis. We have introduced a piece of legislation. It is a bipartisan piece of legislation. It has Democratic and Republican Senators. The same is true for a similar piece of legislation in the House. So I am very hopeful that we will use the opportunity of the agreement to reopen the government. Hopefully, we will get there, and we will keep it open. I hope we will use that opportunity to address this injustice and to right this wrong.

Again, I thank the Senator from Minnesota.

I yield the floor.

The PRESIDING OFFICER (Mr. CRAMER). The Senator from Minnesota.

Ms. SMITH. Mr. President, I thank Senator VAN HOLLEN for being here to talk about this.

When I first became aware of this issue, which was over what was the Christmas holiday for us—Federal employees and Federal contractors were already not working and not getting paid—Senator VAN HOLLEN was one of the first people whom I called to try to figure out what we might do to resolve this, to solve this problem.

I thank you for your leadership and for all of the help that you have given me and all of us to try to figure out this problem. Thank you very much. It has been wonderful to work with you on this.

I also note that I am very grateful to see my colleague Senator CASEY here, who, I believe, also has some things to say about this.

I thank the Presiding Officer.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I rise to speak about the same topic that my colleague from Maryland and my colleague from Minnesota just spoke of. I will start by highlighting the legislation that Senator SMITH from Minnesota has been leading. I am grateful for her work and am grateful to be a cosponsor and a supporter of the legislation.

The Fair Compensation for Low-Wage Contractor Employees Act is the bill that we are talking about. I think it is critically important that we pass this legislation. The country has endured the shutdown of 35 days. Now we are in this interim period, waiting for the results of negotiations that are underway with appropriators. We wish them well, and we hope they can come to an agreement that can be signed into law so that we will not have the threat of yet another shutdown. In this case, President Trump decided to shut the government down for 35 days. That decision, I guess, was prompted by his not receiving funding or winning the debate, at that time, for the funding of his proposed border wall.

As we know, Federal employees, as opposed to Federal contractors, have received backpay. That was pursuant to legislation that was led by Senator CARDIN. I know his colleague from Maryland, Senator VAN HOLLEN, who

just spoke, also worked very hard to pass that legislation. That is good news that Federal employees have backpay.

In this case now, though, although the government has been open for nearly 2 weeks, many vulnerable, low-wage Federal contractors, as opposed to employees, are still struggling due to the lack of their backpay. They were not covered by the bill that provided backpay to Federal employees. Over 820,000 Federal workers went without pay in the 35-day shutdown. It is also estimated that some 2 million private sector employees who work at companies that contract with the Federal Government also may have gone without pay.

Although the financial future of the Federal contractors was and remains in serious jeopardy, many of their stories have gone untold. For example, a constituent of mine from Adams County, which is on the southernmost border—right on the Maryland-Pennsylvania border—is a Federal employee, not a contractor, who was furloughed, and her husband works for a private company that has a contract with the TSA. So there, in one family, one couple, you have a Federal employee, and you have an employee of a Federal contractor.

This is what this constituent said:

Because of all of this, we have taken our children out of daycare . . . so, now our daycare provider is without hundreds of dollars a month. This will keep trickling down to many others. . . . It will not just affect federal employees.

That is what a woman from Adams County said.

Then you go further east in our State to Montgomery County, a very populous, suburban Philadelphia county. This constituent is a Federal contractor. I will read part of this letter, not all of it. This constituent said: "As of now, I am back working; however, it may only be until February 15th."

That is the day when the current continuing resolution runs out.

I will continue the letter with these words:

In these last 6 weeks, I have completely drained the family's rainy day fund. . . . I have asked all my utilities and credit card companies to postpone my due payments. In addition, my 8-year-old daughter was concerned we are not going to be able to eat. Like many Americans we live paycheck to paycheck.

I could go on from there, but I will not. I think people understand the sentiment. Most people have some sense of the gravity of the suffering and what could be even additional suffering, but most of us can't even begin to imagine.

The longest shutdown in American history might be over, but these Federal contractors are still struggling to put food on the table, to purchase medicine, and to pay their bills on time. That is why, led by Senator SMITH, we must pass this legislation, the Fair Compensation for Low-Wage Contractor Employees Act. The legislation would compensate contractors for providing backpay to low-wage contractor service employees who have been fur-

loughed or laid off during the shutdown.

Who are these individuals we are talking about? Here are just a few examples. They are custodians, security guards, and food service workers who work alongside Federal employees and ensure that our government runs smoothly.

We always hear a lot of talk by politicians and sometimes citizens who complain about the government, denigrate the government, and talk about how bad the government is. Then we go through a 35-day shutdown, and people realize, maybe more significantly, what the government does every day. It does, in fact, help our country run. The country doesn't run simply because of the private sector.

When we are dealing with the aftermath of this, we have to be thinking of making those employees whole but also helping the contractors and those who work, of course, for the contractors. These Americans, just like the Federal employees, also deserve to be made whole once again. It is essential that we show our support for those workers who keep the government running, whether they are employees or contractors.

Shutdowns are harmful to the Federal workforce in both the short and long term. They pose immediate danger of destroying the economic well-being of working families. As we have heard from constituents across the country and some I just noted today, frequent shutdowns create uncertainty and dissuade people from entering public service. These are just two of the adverse outcomes or consequences.

The bottom line is that we not only need to repair some of the damage and help people by way of legislation or other actions, but we should also commit ourselves—both parties, both Houses, and it would help enormously if the President of the United States would also commit himself—to a very simple goal: no more shutdowns—no more shutdowns by anyone.

In fact, I know that there are a number of pieces of legislation that would, if not have that effect, then at least create the greatest disincentives for a shutdown to occur. It would help all of us if the President used that microphone that he has every day to make it very clear that he is committed to no more shutdowns, no more hostage-taking, and no more use of shutdowns for leverage.

If the President will not do it, the Congress has to act and send him legislation. He has the right to veto legislation, of course, but I would hope that if he receives bipartisan legislation to make people whole, to pass Senator SMITH's bill, or to pass legislation to prevent future shutdowns from ever occurring again, he would sign all of those measures.

For purposes of today, we want to make sure that we highlight and lift up the legislation by Senator SMITH to help contractors.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that I be allowed to speak as if in morning business for up to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, judging by the deafening silence of Senate Republicans, you would think there was no conservative support in this country for even the most measured response to climate change. However, many prominent Republicans are actually clamoring for climate action. They are just not doing it here in Mammon Hall.

See, for example, the January 16 op-ed in the Wall Street Journal. The Wall Street Journal is not exactly a progressive lefty rag. The opening line of the Wall Street Journal op-ed is: "Global climate change is a serious problem calling for immediate national action." I agree.

The op-ed is signed by 27 winners of the Nobel Prize in economics, four former Federal Reserve Chairs, 12 past Chairs of the President's Council of Economic Advisers, and two former Treasury Secretaries. Many were appointed by Republican Presidents.

Let's look at what this bipartisan group of experts and economists is proposing.

Here is the first policy recommendation:

A carbon tax offers the most cost-effective lever to reduce carbon emissions at the scale and speed that is necessary. By correcting a well-known market failure, a carbon tax will send a powerful price signal that harnesses the invisible hand of the marketplace to steer economic actors towards a low-carbon future.

Again, I agree. We must make the price of fossil energy reflect the costs of carbon pollution. That is Econ 101. We have to do it if we are to reduce emissions as much and as quickly as we need to. This is why Senator SCHATZ and I introduced the American Opportunity Carbon Fee Act to put a price on carbon.

It is not just academic economists and policymakers who recognize that putting a price on carbon pollution is the most efficient way to reduce greenhouse gas emissions. Business executives agree. Few firms are more capitalist and fiercer than the legendary Goldman Sachs. Consider this from Bob Litterman, the former head of risk management at Goldman Sachs, writing recently in the New York Times:

[F]or society at large, and the government in particular, the most important and urgent

action required is to minimize future warming by creating appropriate global incentives to reduce carbon dioxide emissions from burning fossil fuels. Economists generally agree that rather than regulate behavior, it is more effective to allow individuals to choose their actions, as long as the prices appropriately reflect the costs—

Again, back to Econ 101—

including the risks posed by climate change.

To date, prices of energy have not reflected the risk of future climate changes. This is a stupid mistake. . . .

That is not very complicated economic jargon. This is the former head of risk management for one of the smartest and most capitalist firms the planet has ever seen saying that what we are engaged in now is a "stupid mistake." Again, I agree.

Republicans typically support free market solutions, and this is a free market solution. Yet, still, there remains that deafening silence from the other side of the aisle here in the Senate.

Here is the second recommendation from the economists' op-ed in the Wall Street Journal:

A carbon tax should increase every year until emissions reductions goals are met and be revenue neutral to avoid debates over the size of government. A consistently rising carbon price will encourage technological innovation and large-scale infrastructure development.

These are two things we want—innovation and infrastructure. So again, I agree. As to revenue neutral, the carbon pricing system Senator SCHATZ and I proposed is revenue neutral. Every penny goes back into the pockets of Americans—none is designed to make more or bigger government. As to innovation, a carbon fee levels the playing field so that polluters have to compete in the market on even terms with non-polluters. Competition on a level playing field will incentivize innovation in renewable energy, innovation in energy efficiency, innovation in resilient infrastructure, and innovation in low-carbon manufacturing and transportation.

This is not a novel concept. Nobel Prize-winning economist William Nordhaus showed as far back as 1992 "that a low tax on carbon, set to rise slowly, over time, could be enough to keep emissions at reasonable levels, saving us from climate change at little, if any, cost. The tax would promote innovations in new forms of power generation, and, eventually, a widespread adoption of clean-energy technologies."

The latest Republican claim is that innovation is the solution to climate change. Fine, but you are not going to get adequate innovation on the tilted playing field that the fossil fuel industry protects. Carbon pricing uses market forces to drive innovation.

What else do the economists recommend?

A border carbon adjustment system should be established. This system would enhance the competitiveness of American firms that are more energy-efficient than their global

competitors. It would also create an incentive for other nations to adopt similar carbon pricing.

Again, I agree. A border carbon adjustment system means that products from countries without a carbon price are subject to a harmonizing tariff so that they don't have an unfair advantage over domestic products. This protects American manufacturers, and, in turn, American jobs. It motivates other countries to help solve this global problem. People who say we need a global solution must look to a carbon price because it is the most efficient global solution. That is why the Whitehouse-Schatz bill includes just such a border adjustment system. By the way, we filed this bill three Congresses ago first. So we have been at this for a while. The economists' Wall Street Journal op-ed was just a few weeks ago. So we seem to have some convergence here.

The economists continue:

To maximize the fairness and political viability of a rising carbon tax, all the revenue should be returned directly to U.S. citizens through equal lump-sum rebates. The majority of American families, including the most vulnerable, will benefit financially—

Let me repeat that again—

will benefit financially by receiving more in "carbon dividends" than they pay in increased energy prices.

The majority of our families, including the most vulnerable will benefit financially.

As I already noted, the Whitehouse-Schatz plan returns all revenue to the American people. Carbon pricing is not a tax increase. Lower and middle-income households actually get more money back than they may pay in higher prices.

More than two dozen Nobel Prize winners signed this Wall Street Journal op-ed. Their economic expertise is unimpeachable. We have at least one Nobel Laureate from almost every year since the late 1990s. There are only a few missing names, and many of those names actually have endorsed carbon pricing in other venues.

You might say: OK, they are just a bunch of academics. They are all out of touch with political realities.

Well, these were all chairs of the Council of Economic Advisers to the President. When you are advising the President of the United States, you generally adopt some sense of political reality. Note that this is a bipartisan list. It includes advisers to four Republican Presidents and two Democratic Presidents. When this group of people can agree on an economic policy, you better believe it is not some fringe idea, and these experts all say that carbon pricing is a practical solution to a very real and pressing problem.

Here is yet another bipartisan list of signers on the Wall Street Journal op-ed: Fed chairs and Treasury Secretaries. We have top-level economic appointees from five different Republican Presidents, all saying that "global climate change is a serious problem calling for immediate national action" and

all saying that setting a carbon price is the best action to take. They don't write very big checks. So they don't get heard from much around here, it seems.

But let's think for a minute. What about this President? What about President Trump? What might he say? What might President Trump think about action on climate change?

This is a full-page advertisement from the New York Times from 2009. Back in 2009, Donald Trump and his children and the Trump organization all signed this letter published in the New York Times. This letter urged then-President Obama to pursue what they called "meaningful and effective measures to control climate change." It goes on: "If we fail to act now"—this being 2009—"it is scientifically irrefutable that there will be catastrophic and irreversible consequences for humanity and our planet." "Irrefutable," "catastrophic," "irreversible"—there is not much ambiguity there.

Well, a decade has passed since this letter, and much has changed. Now Donald Trump mocks global warming, and the GOP in Congress has fled from taking any serious action on climate change—even on policies that are as mainstream and widely supported by appointees of Republicans as carbon pricing.

How did this come to pass? Well, I was here. I saw it happen. The year after President Trump signed this letter, the Supreme Court's disastrous Citizens United decision opened the floodgates to unlimited special-interest money—money from polluters into our politics—and that changed everything.

In 2007, we had bipartisan climate bills. In 2008, we had bipartisan climate bills. In 2009, we had bipartisan climate bills. Bipartisanship was the theme of responding to the climate change problem for those years. By my recollection, we had five different bipartisan Senate climate bills kicking around.

Then, in January 2010 comes the Citizens United decision. The fossil fuel industry pushed for it, asked for it, saw it coming, and took immediate advantage of it. Before you know it, there is that unlimited money, often unleashed through dark money channels, so you don't know who is behind it, and there are the threats and promises that necessarily accompany that power. Think about it. If you are given the power to spend unlimited money in politics, do you not necessarily also have the power to threaten to spend unlimited money in politics? Of course, you do. The two cannot be separated.

So the unlimited spending, the anonymous dark money, and the threats and promises combined to shut down the Republican Party on this issue. It was like turning off the lights. From January 2010 forward, no Republican in this Chamber has been willing to get onto any serious piece of legislation to reduce carbon dioxide.

Republican voters aren't there. Republican young voters are up in arms.

Republican economic leaders aren't there. You can look across the Republican Party, and you find a strong and solid desire to address the climate problem, and you even have Republican leaders supporting a specific solution. It is just here where it stops. It is just here where political spending is so important that it has been able to overcome even the judgment of Nobel Prize-winning Republican appointees as to how to solve this.

After he received his Nobel Prize just last October, William Nordhaus, Nobel Prize-winning economist, lamented: "It's hard to be optimistic. . . . We're actually going backward in the United States, with the disastrous policies of the Trump administration."

Where is 2009 Donald Trump? Where is the guy who signed this? I want that guy back. These economists of all political backgrounds know what is going on, and they know how to fix it. The American people know what is going on, and they want us to fix it. It is time for us to take action, and it is time for us to wake up.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ARMS SALES NOTIFICATION

Mr. RISCH. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEFENSE SECURITY  
COOPERATION AGENCY,  
Arlington, VA.

Hon. JAMES E. RISCH,  
Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 19-02, concerning the Air Force's proposed Letter(s) of Offer and Acceptance to the Government of India for defense articles and services estimated to cost \$190 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

CHARLES W. HOOPER,  
Lieutenant General, USA, Director.  
Enclosures.

TRANSMITTAL NO. 19-02

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of India.

(ii) Total Estimated Value:

Major Defense Equipment \$26 million.

Other \$164 million.

TOTAL \$190 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase: India has requested a possible sale of two (2) Self-Protection Suites (SPS) consisting of AN/AAQ 24(V)N Large Aircraft Infrared Countermeasures (LAIRCM), ALQ-211(V)8 Advanced Integrated Defensive Electronic Warfare Suite (AIDEWS), and AN/ALE-47 Counter-Measures Dispensing System (CMDS) to protect two (2) Boeing-777 Head-of-State aircraft. The LAIRCM system consists of three (3) Guardian Laser Terminal Assemblies (GLTA), six (6) Missile Warning Sensors (MWS) for AN/AAQ-24 (V)N, one (1) LAIRCM System Processor Replacements (LSPR), one (1) Control Indicator Unit Replacement (CIUR), one (1) Smart Card Assembly and one (1) High Capacity Card (HCC)/User Data Memory (UDM) card.

Major Defense Equipment (MDE):

Twelve (12) Guardian Laser Transmitter Assemblies (GLTA) AN/AAQ-24(V)N (6 installed, 6 spares).

Eight (8) LAIRCM System Processor Replacements (LSPR) AN/AAQ-24(V)N (2 installed, 6 spares).

Twenty-three (23) Missile Warning Sensors (MWS) for AN/AAR-54 AAQ-24(V)N (12 installed, 11 spares).

Five (5) AN/ALE-47 Counter-Measures Dispensing System (CMDS) (2 installed, 3 spares).

Non-MDE: Also included are Advanced Integrated Defensive Electronic Warfare Suites (AIDEWS), LAIRCM CIURs, SCAs, HCCs, and UDM cards, initial spares, consumables, repair and return support, support equipment, Self-Protection Suite (SPS) engineering design, integration, hardware integration, flight test and certification, selective availability anti-spoofing modules (SAASM), warranties, publications and technical documentation, training and training equipment, field service representatives; U.S. Government and contractor engineering, technical and logistics support services, and other related elements of logistical and program support.

(iv) Military Department: Air Force (IN-D-QAF).

(v) Prior Related Cases, if any: IN-D-QJD, IN-D-QAA, IN-D-QAD.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress: February 6, 2019.

\*As defined in Section 47(6) of the Arms Export Control Act.

#### POLICY JUSTIFICATION

##### India—777 Large Aircraft Infrared Countermeasures Self-Protection Suite

The Government of India has requested to buy two (2) Self-Protection Suites (SPS) consisting of AN/AAQ 24(V)N Large Aircraft Infrared Countermeasures (LAIRCM), ALQ-211(V)8 Advanced Integrated Defensive Electronic Warfare Suite (AIDEWS), and AN/ALE-47 Counter-Measures Dispensing System (CMDS) to protect two (2) Boeing-777 Head-of-State aircraft. This potential sale would include: twelve (12) Guardian Laser Transmitter Assemblies AN/AAQ-24 (V)N (6 installed and 6 spares); eight (8) LAIRCM System Processor Replacements (LSPR) AN/AAQ-24 (V)N (2 installed and 6 spares); twenty-three (23) Missile Warning Sensors (MWS) for AN/AAQ-24 (V)N (12 installed and 11 spares); five (5) AN/ALE-47 Counter-Measures Dispensing System (CMDS) (2 installed and 3 spares). Also included in this sale are Advanced Integrated Defensive Electronic Warfare Suites (AIDEWS), LAIRCM CIURs, SCAs, HCCs, and UDM cards, initial spares, consumables, repair and return support, support equipment, Self-Protection Suite (SPS) engineering design, integration, hardware integration, flight test and certification, selective availability anti-spoofing modules (SAASM), warranties, publications and technical documentation, training and training equipment, field service representatives; U.S. Government and contractor engineering, technical and logistics support services, and other related elements of logistical and program support. The total estimated cost is \$190 million.

This proposed sale will support the foreign policy and national security of the United States by helping to strengthen the U.S.-Indian strategic relationship and to improve the security of a major defensive partner which continues to be an important force for political stability, peace, and economic progress in the Indo-Pacific and South Asia region.

The proposed sale will improve India's capability to deter regional threats. The SPS will facilitate a more robust capability into areas of increased missile threats. India will have no problem absorbing and using the SPS system.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The prime contractor will be Boeing Company, Oklahoma City, OK. The purchaser typically requests offsets. Any offset agreement will be defined in negotiations between the purchaser and the contractor.

Implementation of this proposed sale will require the assignment of one additional U.S. contractor representative to New Delhi, India.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

#### TRANSMITTAL NO. 19-02

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

##### Annex Item No. vii

(vii) Sensitivity of Technology:

1. The AN/AAQ-24(V)N LAIRCM is a self-contained, directed energy countermeasures system designed to protect aircraft from infrared-guided surface-to-air missiles. The system features digital technology and micro-miniature solid-state electronics. The system operates in all conditions, detecting incoming missiles and jamming infrared-

seeker equipped missiles with aimed bursts of laser energy. The LAIRCM system consists of multiple Missile Warning Sensors, Guardian Laser Turret Assembly (GLTA), LAIRCM System Processor Replacement (LSPR), Control Indicator (CI), and a classified User Data Memory (UDM) card containing the laser jam codes. The UDM card is loaded into Computer Processor (CP) prior to flight; when not in use, the UDM card is removed from the CP and put in secure storage. The Missile Warning Sensors (MWS) for AN/AAQ-24 (V)N are mounted on the aircraft exterior to provide omni-directional protection. The MWS detects the rocket plume of missiles and sends appropriate data signals to the CP for processing. The CP analyzes the data from each sensor and automatically deploys the appropriate countermeasure via the GLTA. The CI displays the incoming threat for the pilot to take appropriate action. The CP also contains Built-in-Test (BIT) circuitry. LAIRCM hardware is CLASSIFIED. LAIRCM system software, including Operational Flight Program and jam codes, are classified SECRET. Technical data and documentation to be provided is UNCLASSIFIED.

2. The AN/ALE-47 Countermeasure Dispenser Set (CMDS) provides an integrated threat-adaptive, computer controlled capability for dispensing chaff, flares, and active radio frequency expendables. The AN/ALE-47 system enhances aircraft survivability in sophisticated threat environments. The threats countered by the CMDS include radar-directed anti-aircraft artillery (AAA), radar command-guided missiles, radar homing guided missiles, and infrared (IR) guided missiles. The system is internally mounted and may be operated as a stand-alone system or may be integrated with other on-board Electronic Warfare (EW) and avionics systems. The AN/ALE-47 uses threat data received over the aircraft interfaces to assess the threat situation and determine a response. Expendable routines tailored to the immediate aircraft and threat environment may be dispensed. Hardware is UNCLASSIFIED. Software is SECRET. Technical data and documentation to be provided is UNCLASSIFIED.

3. AN/ALQ-211 Airborne Integrated Defensive Electronic Warfare Suite (AIDEWS) provides passive radar warning, wide spectrum RF jamming, and control and management of the entire EW system. It is an internally or externally mounted Electronic Warfare (EW) suite. The commercially developed system software and hardware is UNCLASSIFIED. The system is classified SECRET when loaded with a U.S.-derived EW database.

4. If a technologically advanced adversary were to obtain knowledge of the hardware and software elements, the information could be used to develop countermeasures or equivalent systems which might reduce system effectiveness or be used in the development of a system with similar or advanced capabilities.

5. A determination has been made that the Government of India can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

6. All defense articles and services listed in this transmittal have been authorized for release and export to India.

#### SENATE COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS RULES OF PROCEDURE

Mr. JOHNSON. Mr. President, rule XXVI, paragraph 2, of the Standing Rules of the Senate requires each committee to adopt rules to govern the procedure of the committee and to publish those rules in the CONGRESSIONAL RECORD not later than March 1 of the first year of each Congress. Today, the Committee on Homeland Security and Governmental Affairs adopted committee rules of procedure.

Consistent with Standing Rule XXVI, I ask unanimous consent to have a copy of the rules of procedure of the Committee on Homeland Security and Governmental Affairs printed in the CONGRESSIONAL RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### RULES OF PROCEDURE OF THE COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

##### PURSUANT TO RULE XXVI, SEC. 2, STANDING RULES OF THE SENATE

##### RULE 1. MEETINGS AND MEETING PROCEDURES OTHER THAN HEARINGS

A. Meeting dates. The Committee shall hold its regular meetings on the first Wednesday of each month, when the Congress is in session, or at such other times as the Chairman shall determine. Additional meetings may be called by the Chairman as he/she deems necessary to expedite Committee business. (Rule XXVI, Sec. 3, Standing Rules of the Senate.)

B. Calling special Committee meetings. If at least three Members of the Committee desire the Chairman to call a special meeting, they may file in the offices of the Committee a written request therefor, addressed to the Chairman. Immediately thereafter, the clerk of the Committee shall notify the Chairman of such request. If, within 3 calendar days after the filing of such request, the Chairman fails to call the requested special meeting, which is to be held within 7 calendar days after the filing of such request, a majority of the Committee Members may file in the offices of the Committee their written notice that a special Committee meeting will be held, specifying the date and hour thereof, and the Committee shall meet on that date and hour. Immediately upon the filing of such notice, the Committee chief clerk shall notify all Committee Members that such special meeting will be held and inform them of its date and hour. (Rule XXVI, Sec. 3, Standing Rules of the Senate.)

C. Meeting notices and agenda. Written notices of Committee meetings, accompanied by an agenda, enumerating the items of business to be considered, shall be sent to all Committee Members at least 5 days in advance of such meetings, excluding Saturdays, Sundays, and legal holidays in which the Senate is not in session. The written notices required by this Rule may be provided by electronic mail. In the event that unforeseen requirements or Committee business prevent a 5-day notice of either the meeting or agenda, the Committee staff shall communicate such notice and agenda, or any revisions to the agenda, as soon as practicable by telephone or otherwise to Members or appropriate staff assistants in their offices.

D. Open business meetings. Meetings for the transaction of Committee or Subcommittee business shall be conducted in



open session, except that a meeting or series of meetings on the same subject for a period of no more than 14 calendar days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated in clauses (1) through (6) below would require the meeting to be closed, followed immediately by a record vote in open session by a majority of the Committee or Subcommittee Members when it is determined that the matters to be discussed or the testimony to be taken at such meeting or meetings—

(1) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of foreign relations of the United States;

(2) will relate solely to matters of Committee or Subcommittee staff personnel or internal staff management or procedure;

(3) will tend to charge an individual with crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise expose an individual to public contempt or obloquy or will represent a clearly unwarranted invasion of the privacy of an individual;

(4) will disclose the identity of an informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interests of effective law enforcement;

(5) will disclose information relating to the trade secrets of financial or commercial information pertaining specifically to a given person if—

(A) an Act of Congress requires the information to be kept confidential by Government officers and employees; or

(B) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person; or

(6) may divulge matters required to be kept confidential under other provisions of law or Government regulations. (Rule XXVI, Sec. 5(b), Standing Rules of the Senate.) Notwithstanding the foregoing, whenever disorder arises during a Committee or Subcommittee meeting that is open to the public, or any demonstration of approval or disapproval is indulged in by any person in attendance at any such meeting, it shall be the duty of the Chairman to enforce order on his or her own initiative and without any point of order being made by a Member of the Committee or Subcommittee; provided, further, that when the Chairman finds it necessary to maintain order, he/she shall have the power to clear the room, and the Committee or Subcommittee may act in closed session for so long as there is doubt of the assurance of order. (Rule XXVI, Sec. 5(d), Standing Rules of the Senate.)

E. Prior notice of first degree amendments. It shall not be in order for the Committee, or a Subcommittee thereof, to consider any amendment in the first degree proposed to any measure under consideration by the Committee or Subcommittee unless a written copy of such amendment has been delivered to each Member of the Committee or Subcommittee, as the case may be, and to the office of the Committee or Subcommittee, by no later than 4:00 p.m. two days before the meeting of the Committee or Subcommittee at which the amendment is to be proposed, and, in the case of a first degree amendment in the nature of a substitute proposed by the manager of the measure, by no later than 5:00 p.m. five days before the meeting. The written copy of amendments in the first degree required by this Rule may be provided by electronic mail. This subsection

may be waived by a majority of the Members present, or by consent of the Chairman and Ranking Minority Member of the Committee or Subcommittee. This subsection shall apply only when at least 120 hours written notice of a session to mark-up a measure is provided to the Committee or Subcommittee.

F. Meeting transcript. The Committee or Subcommittee shall prepare and keep a complete transcript or electronic recording adequate to fully record the proceeding of each meeting whether or not such meeting or any part thereof is closed to the public, unless a majority of the Committee or Subcommittee Members vote to forgo such a record. (Rule XXVI, Sec. 5(e), Standing Rules of the Senate.)

#### RULE 2. QUORUMS

A. Reporting measures and matters. A majority of the Members of the Committee shall constitute a quorum for reporting to the Senate any measures, matters or recommendations. (Rule XXVI, Sec. 7(a)(1), Standing Rules of the Senate.)

B. Transaction of routine business. One-third of the membership of the Committee shall constitute a quorum for the transaction of routine business, provided that one Member of the Minority is present. For the purpose of this paragraph, the term "routine business" includes the convening of a meeting and the consideration of any business of the Committee other than reporting to the Senate any measures, matters or recommendations. (Rule XXVI, Sec. 7(a)(1), Standing Rules of the Senate.)

C. Taking testimony. One Member of the Committee shall constitute a quorum for taking sworn or unsworn testimony. (Rule XXVI, Sec. 7(a)(2) and 7(c)(2), Standing Rules of the Senate.)

D. Subcommittee quorums. Subject to the provisions of sections 7(a)(1) and (2) of Rule XXVI of the Standing Rules of the Senate, the Subcommittees of this Committee are authorized to establish their own quorums for the transaction of business and the taking of sworn testimony.

E. Proxies prohibited in establishment of quorum. Proxies shall not be considered for the establishment of a quorum.

#### RULE 3. VOTING

A. Quorum required. Subject to the provisions of subsection (E), no vote may be taken by the Committee, or any Subcommittee thereof, on any measure or matter unless a quorum, as prescribed in the preceding section, is actually present.

B. Reporting measures and matters. No measure, matter or recommendation shall be reported from the Committee unless a majority of the Committee Members are actually present, and the vote of the Committee to report a measure or matter shall require the concurrence of a majority of those Members who are actually present at the time the vote is taken. (Rule XXVI, Sec. 7(a)(1) and (3), Standing Rules of the Senate.)

C. Proxy voting. Proxy voting shall be allowed on all measures and matters before the Committee, or any Subcommittee thereof, except that, when the Committee, or any Subcommittee thereof, is voting to report a measure or matter, proxy votes shall be allowed solely for the purposes of recording a Member's position on the pending question. Proxy voting shall be allowed only if the absent Committee or Subcommittee Member has been informed of the matter on which he or she is being recorded and has affirmatively requested that he or she be so recorded. All proxies shall be filed with the chief clerk of the Committee or Subcommittee thereof, as the case may be. All proxies shall be in writing and shall contain sufficient reference to the pending matter as

is necessary to identify it and to inform the Committee or Subcommittee as to how the Member establishes his or her vote to be recorded thereon. (Rule XXVI, Sec. 7(a)(3) and 7(c)(1), Standing Rules of the Senate.)

D. Announcement of vote. (1) Whenever the Committee by roll call vote reports any measure or matter, the report of the Committee upon such a measure or matter shall include a tabulation of the votes cast in favor of and the votes cast in opposition to such measure or matter by each Member of the Committee. (Rule XXVI, Sec. 7(c), Standing Rules of the Senate.)

(2) Whenever the Committee by roll call vote acts upon any measure or amendment thereto, other than reporting a measure or matter, the results thereof shall be announced in the Committee report on that measure unless previously announced by the Committee, and such announcement shall include a tabulation of the votes cast in favor of and the votes cast in opposition to each such measure and amendment thereto by each Member of the Committee who was present at the meeting. (Rule XXVI, Sec. 7(b), Standing Rules of the Senate.)

(3) In any case in which a roll call vote is announced, the tabulation of votes shall state separately the proxy vote recorded in favor of and in opposition to that measure, amendment thereto, or matter. (Rule XXVI, Sec. 7(b) and (c), Standing Rules of the Senate.)

E. Polling. (1) The Committee, or any Subcommittee thereof, may poll (a) internal Committee or Subcommittee matters including the Committee's or Subcommittee's staff, records and budget; (b) steps in an investigation, including issuance of subpoenas, applications for immunity orders, and requests for documents from agencies; and (c) other Committee or Subcommittee business other than a vote on reporting to the Senate any measures, matters or recommendations or a vote on closing a meeting or hearing to the public.

(2) Only the Chairman, or a Committee Member or staff officer designated by him/her, may undertake any poll of the Members of the Committee. If any Member requests, any matter to be polled shall be held for meeting rather than being polled. The chief clerk of the Committee shall keep a record of polls; if a majority of the Members of the Committee determine that the polled matter is in one of the areas enumerated in subsection (D) of Rule 1, the record of the poll shall be confidential. Any Committee Member may move at the Committee meeting following the poll for a vote on the polled decision, such motion and vote to be subject to the provisions of subsection (D) of Rule 1, where applicable.

F. Naming postal facilities. The Committee will not consider any legislation that would name a postal facility for a living person with the exception of bills naming facilities after former Presidents and Vice Presidents of the United States, former Members of Congress over 70 years of age, former State or local elected officials over 70 years of age, former judges over 70 years of age, or wounded veterans. The Committee will not consider legislation that would name a postal facility unless it has the support of both Senators in the delegation of the state in which the facility is located.

G. Technical and conforming changes. A Committee vote to report a measure to the Senate shall also authorize the Committee Chairman and Ranking Member by mutual agreement to make any required technical and conforming changes to the measure.

#### RULE 4. CHAIRMANSHIP OF MEETINGS AND HEARINGS

The Chairman shall preside at all Committee meetings and hearings except that he

or she shall designate a temporary Chairman to act in his or her place if he or she is unable to be present at a scheduled meeting or hearing. If the Chairman (or his or her designee) is absent 10 minutes after the scheduled time set for a meeting or hearing, the Ranking Majority Member present shall preside until the Chairman's arrival. If there is no Member of the Majority present, the Ranking Minority Member present, with the prior approval of the Chairman, may open and conduct the meeting or hearing until such time as a Member of the Majority arrives.

#### RULE 5. HEARINGS AND HEARING PROCEDURES

A. Announcement of hearings. The Committee, or any Subcommittee thereof, shall make public announcement of the date, time, and subject matter of any hearing to be conducted on any measure or matter at least 5 days in advance of such hearing, excluding Saturdays, Sundays, and legal holidays in which the Senate is not in session, unless the Committee, or Subcommittee, determines that there is good cause to begin such hearing at an earlier date. (Rule XXVI, Sec. 4(a), Standing Rules of the Senate.)

B. Open hearings. Each hearing conducted by the Committee, or any Subcommittee thereof, shall be open to the public, except that a hearing or series of hearings on the same subject for a period of no more than 14 calendar days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated in clauses (1) through (6) below would require the hearing to be closed, followed immediately by a record vote in open session by a majority of the Committee or Subcommittee Members when it is determined that the matters to be discussed or the testimony to be taken at such hearing or hearings—

(1) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of foreign relations of the United States;

(2) will relate solely to matters of Committee or Subcommittee staff personnel or internal staff management or procedure;

(3) will tend to charge an individual with crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise expose an individual to public contempt or obloquy or will represent a clearly unwarranted invasion of the privacy of an individual;

(4) will disclose the identity of an informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interests of effective law enforcement;

(5) will disclose information relating to the trade secrets of financial or commercial information pertaining specifically to a given person if—

(A) an Act of Congress requires the information to be kept confidential by Government officers and employees; or

(B) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person; or

(6) may divulge matters required to be kept confidential under other provisions of law or Government regulations. (Rule XXVI, Sec. 5(b), Standing Rules of the Senate.)

Notwithstanding the foregoing, whenever disorder arises during a Committee or Subcommittee meeting that is open to the public, or any demonstration of approval or disapproval is indulged in by any person in attendance at any such meeting, it shall be the

duty of the Chairman to enforce order on his or her own initiative and without any point of order being made by a Member of the Committee or Subcommittee; provided, further, that when the Chairman finds it necessary to maintain order, he or she shall have the power to clear the room, and the Committee or Subcommittee may act in closed session for so long as there is doubt of the assurance of order. (Rule XXVI, Sec. 5(d), Standing Rules of the Senate.)

C. Full Committee subpoenas. The Chairman, with the approval of the Ranking Minority Member of the Committee, is authorized to subpoena the attendance of witnesses at a hearing or deposition or the production of memoranda, documents, records, or any other materials. The Chairman may subpoena attendance or production without the approval of the Ranking Minority Member where the Chairman has not received a letter of disapproval signed by the Ranking Minority Member within 72 hours, excluding Saturdays, Sundays, and legal holidays in which the Senate is not in session, of the Ranking Minority Member's receipt of a letter signed by the Chairman providing notice of the Chairman's intent to issue a subpoena, including an identification of all individuals and items sought to be subpoenaed. Delivery and receipt of the signed notice and signed disapproval letters and any additional communications related to the subpoena may be carried out by staff officers of the Chairman and Ranking Minority Member, and may occur through electronic mail. If a subpoena is disapproved by the Ranking Minority Member as provided in this subsection, the subpoena may be authorized by vote of the Members of the Committee. When the Committee or Chairman authorizes subpoenas, subpoenas may be issued upon the signature of the Chairman or any other Member of the Committee designated by the Chairman.

D. Witness counsel. Counsel retained by any witness and accompanying such witness shall be permitted to be present during the testimony of such witness at any public or executive hearing or deposition to advise such witness while he or she is testifying, of his or her legal rights; provided, however, that in the case of any witness who is an officer or employee of the Government, or of a corporation or association, the Committee Chairman may rule that representation by counsel from the Government, corporation, or association or by counsel representing other witnesses, creates a conflict of interest, and that the witness may only be represented during interrogation by staff or during testimony before the Committee by personal counsel not from the Government, corporation, or association or by personal counsel not representing other witnesses. This subsection shall not be construed to excuse a witness from testifying in the event his or her counsel is ejected for conducting himself or herself in such manner so as to prevent, impede, disrupt, obstruct or interfere with the orderly administration of the hearings; nor shall this subsection be construed as authorizing counsel to coach the witness or answer for the witness. The failure of any witness to secure counsel shall not excuse such witness from complying with a subpoena or deposition notice.

E. Witness transcripts. An accurate electronic or stenographic record shall be kept of the testimony of all witnesses in executive and public hearings. The record of his or her testimony whether in public or executive session shall be made available for inspection by the witness or his or her counsel under Committee supervision; a copy of any testimony given in public session or that part of the testimony given by the witness in executive session and subsequently quoted or made part of the record in a public session

shall be provided to any witness at his or her expense if he or she so requests. Upon inspecting his or her transcript, within a time limit set by the chief clerk of the Committee, a witness may request changes in the transcript to correct errors of transcription and grammatical errors; the Chairman or a staff officer designated by him/her shall rule on such requests.

F. Impugned persons. Any person whose name is mentioned or is specifically identified, and who believes that evidence presented, or comment made by a Member of the Committee or staff officer, at a public hearing or at a closed hearing concerning which there have been public reports, tends to impugn his or her character or adversely affect his or her reputation may:

(a) File a sworn statement of facts relevant to the evidence or comment, which statement shall be considered for placement in the hearing record by the Committee;

(b) Request the opportunity to appear personally before the Committee to testify in his or her own behalf, which request shall be considered by the Committee; and

(c) Submit questions in writing which he or she requests be used for the cross-examination of other witnesses called by the Committee, which questions shall be considered for use by the Committee.

G. Radio, television, and photography. The Committee, or any Subcommittee thereof, may permit the proceedings of hearings which are open to the public to be photographed and broadcast by radio, television or both, subject to such conditions as the Committee, or Subcommittee, may impose. (Rule XXVI, Sec. 5(c), Standing Rules of the Senate.)

H. Advance statements of witnesses. A witness appearing before the Committee, or any Subcommittee thereof, shall provide electronically a written statement of his or her proposed testimony at least 48 hours prior to his or her appearance. This requirement may be waived by the Chairman and the Ranking Minority Member following their determination that there is good cause for failure of compliance. (Rule XXVI, Sec. 4(b), Standing Rules of the Senate.)

I. Minority witnesses. In any hearings conducted by the Committee, or any Subcommittee thereof, the Minority Members of the Committee or Subcommittee shall be entitled, upon request to the Chairman by a majority of the Minority Members, to call witnesses of their selection during at least 1 day of such hearings. (Rule XXVI, Sec. 4(d), Standing Rules of the Senate.)

J. Swearing in witnesses. In any hearings conducted by the Committee, the Chairman or his or her designee may swear in each witness prior to their testimony.

K. Full Committee depositions. Depositions may be taken prior to or after a hearing as provided in this subsection.

(1) Notices for the taking of depositions shall be authorized and issued by the Chairman, with the approval of the Ranking Minority Member of the Committee. The Chairman may initiate depositions without the approval of the Ranking Minority Member where the Chairman has not received a letter of disapproval of the deposition signed by the Ranking Minority Member within 72 hours, excluding Saturdays, Sundays, and legal holidays in which the Senate is not in session, of the Ranking Minority Member's receipt of a letter signed by the Chairman providing notice of the Chairman's intent to issue a deposition notice, including identification of all individuals sought to be deposed. Delivery and receipt of the signed notice and signed disapproval letter and any additional communications related to the deposition may be carried out by staff officers of the Chairman and Ranking Member,

and may occur through electronic mail. If a deposition notice is disapproved by the Ranking Minority Member as provided in this subsection, the deposition notice may be authorized by a vote of the Members of the Committee. Committee deposition notices shall specify a time and place for examination, and the name of the Committee Member or Members or staff officer or officers who will take the deposition. Unless otherwise specified, the deposition shall be in private. The Committee shall not initiate procedures leading to criminal or civil enforcement proceedings for a witness' failure to appear or produce unless the deposition notice was accompanied by a Committee subpoena.

(2) Witnesses may be accompanied at a deposition by counsel to advise them of their legal rights, subject to the provisions of Rule 5D.

(3) Oaths at depositions may be administered by an individual authorized by local law to administer oaths. Questions shall be propounded orally by a Committee Member or Members or staff. If a witness objects to a question and refuses to testify, the objection shall be noted for the record and the Committee Member or Members or staff may proceed with the remainder of the deposition.

(4) The Committee shall see that the testimony is transcribed or electronically recorded (which may include audio or audio/video recordings). If it is transcribed, the transcript shall be made available for inspection by the witness or his or her counsel under Committee supervision. The witness shall sign a copy of the transcript and may request changes to it, which shall be handled in accordance with the procedure set forth in subsection (E). If the witness fails to sign a copy, the staff shall note that fact on the transcript. The individual administering the oath shall certify on the transcript that the witness was duly sworn in his or her presence, the transcriber shall certify that the transcript is a true record of the testimony, and the transcript shall then be filed with the chief clerk of the Committee. The Chairman or a staff officer designated by him/her may stipulate with the witness to changes in the procedure; deviations from this procedure which do not substantially impair the reliability of the record shall not relieve the witness from his or her obligation to testify truthfully.

#### RULE 6. COMMITTEE REPORTING PROCEDURES

A. Timely filing. When the Committee has ordered a measure or matter reported, following final action, the report thereon shall be filed in the Senate at the earliest practicable time. (Rule XXVI, Sec. 10(b), Standing Rules of the Senate.)

B. Supplemental, Minority, and additional views. A Member of the Committee who gives notice of his or her intention to file supplemental, Minority, or additional views at the time of final Committee approval of a measure or matter shall be entitled to not less than 3 calendar days in which to file such views, in writing, with the chief clerk of the Committee. Such views shall then be included in the Committee report and printed in the same volume, as a part thereof, and their inclusion shall be noted on the cover of the report. In the absence of timely notice, the Committee report may be filed and printed immediately without such views. (Rule XXVI, Sec. 10(c), Standing Rules of the Senate.)

C. Notice by Subcommittee Chairmen. The Chairman of each Subcommittee shall notify the Chairman in writing whenever any measure has been ordered reported by such Subcommittee and is ready for consideration by the full Committee.

D. Draft reports of Subcommittees. All draft reports prepared by Subcommittees of

this Committee on any measure or matter referred to it by the Chairman shall be in the form, style, and arrangement required to conform to the applicable provisions of the Standing Rules of the Senate, and shall be in accordance with the established practices followed by the Committee. Upon completion of such draft reports, copies thereof shall be filed with the chief clerk of the Committee at the earliest practicable time.

E. Impact statements in reports. All Committee reports, accompanying a bill or joint resolution of a public character reported by the Committee, shall contain (1) an estimate, made by the Committee, of the costs which would be incurred in carrying out the legislation for the then current fiscal year and for each of the next 5 years thereafter (or for the authorized duration of the proposed legislation, if less than 5 years); and (2) a comparison of such cost estimates with any made by a Federal agency; or (3) in lieu of such estimate or comparison, or both, a statement of the reasons for failure by the Committee to comply with these requirements as impracticable, in the event of inability to comply therewith. (Rule XXVI, Sec. 11(a), Standing Rules of the Senate.)

Each such report shall also contain an evaluation, made by the Committee, of the regulatory impact which would be incurred in carrying out the bill or joint resolution. The evaluation shall include (a) an estimate of the numbers of individuals and businesses who would be regulated and a determination of the groups and classes of such individuals and businesses, (b) a determination of the economic impact of such regulation on the individuals, consumers, and businesses affected, (c) a determination of the impact on the personal privacy of the individuals affected, and (d) a determination of the amount of paperwork that will result from the regulations to be promulgated pursuant to the bill or joint resolution, which determination may include, but need not be limited to, estimates of the amount of time and financial costs required of affected parties, showing whether the effects of the bill or joint resolution could be substantial, as well as reasonable estimates of the recordkeeping requirements that may be associated with the bill or joint resolution. Or, in lieu of the foregoing evaluation, the report shall include a statement of the reasons for failure by the Committee to comply with these requirements as impracticable, in the event of inability to comply therewith. (Rule XXVI, Sec. 11(b), Standing Rules of the Senate.)

#### RULE 7. SUBCOMMITTEES AND SUBCOMMITTEE PROCEDURES

A. Regularly established Subcommittees. The Committee shall have three regularly established Subcommittees. The Subcommittees are as follows:

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS  
SUBCOMMITTEE ON FEDERAL SPENDING  
OVERSIGHT AND EMERGENCY MANAGEMENT  
SUBCOMMITTEE ON REGULATORY AFFAIRS AND  
FEDERAL MANAGEMENT

B. Ad hoc Subcommittees. Following consultation with the Ranking Minority Member, the Chairman shall, from time to time, establish such ad hoc Subcommittees as he/she deems necessary to expedite Committee business.

C. Subcommittee membership. Following consultation with the Majority Members, and the Ranking Minority Member of the Committee, the Chairman shall announce selections for membership on the Subcommittees referred to in paragraphs A and B, above.

(1) The Chairman and Ranking Minority Member shall serve as nonvoting *ex officio* members of the subcommittees on which they do not serve as voting members.

(2) Any Member of the Committee may attend hearings held by any subcommittee and question witnesses testifying before that Subcommittee, subject to the approval of the Subcommittee Chairman and Ranking Member.

D. Subcommittee meetings and hearings. Each Subcommittee of this Committee is authorized to establish meeting dates and adopt rules not inconsistent with the rules of the Committee except as provided in Rules 2(D) and 7(E).

E. Subcommittee subpoenas. Each Subcommittee is authorized to adopt rules concerning subpoenas which need not be consistent with the rules of the Committee; provided, however, that in the event the Subcommittee authorizes the issuance of a subpoena pursuant to its own rules, a written notice of intent to issue the subpoena shall be provided to the Chairman and Ranking Minority Member of the Committee, or staff officers designated by them, by the Subcommittee Chairman or a staff officer designated by him/her immediately upon such authorization, and no subpoena shall be issued for at least 48 hours, excluding Saturdays and Sundays, from delivery to the appropriate offices, unless the Chairman and Ranking Minority Member waive the 48-hour waiting period or unless the Subcommittee Chairman certifies in writing to the Chairman and Ranking Minority Member that, in his or her opinion, it is necessary to issue a subpoena immediately.

F. Subcommittee budgets. During the first year of a new Congress, each Subcommittee that requires authorization for the expenditure of funds for the conduct of inquiries and investigations, shall file with the chief clerk of the Committee, by a date and time prescribed by the Chairman, its request for funds for the two (2) 12-month periods beginning on March 1 and extending through and including the last day of February of the 2 following years, which years comprise that Congress. Each such request shall be submitted on the budget form prescribed by the Committee on Rules and Administration, and shall be accompanied by a written justification addressed to the Chairman of the Committee, which shall include (1) a statement of the Subcommittee's area of activities, (2) its accomplishments during the preceding Congress detailed year by year, and (3) a table showing a comparison between (a) the funds authorized for expenditure during the preceding Congress detailed year by year, (b) the funds actually expended during that Congress detailed year by year, (c) the amount requested for each year of the Congress, and (d) the number of professional and clerical staff members and consultants employed by the Subcommittee during the preceding Congress detailed year by year and the number of such personnel requested for each year of the Congress. The Chairman may request additional reports from the Subcommittees regarding their activities and budgets at any time during a Congress. (Rule XXVI, Sec. 9, Standing Rules of the Senate.)

#### RULE 8. CONFIRMATION STANDARDS AND PROCEDURES

A. Standards. In considering a nomination, the Committee shall inquire into the nominee's experience, qualifications, suitability, and integrity to serve in the position to which he or she has been nominated. The Committee shall recommend confirmation, upon finding that the nominee has the necessary integrity and is affirmatively qualified by reason of training, education, or experience to carry out the functions of the office to which he or she was nominated.

B. Information concerning the Nominee. Each nominee shall submit the following information to the Committee:

(1) A detailed biographical resume which contains information relating to education, employment, and achievements;

(2) Financial information, in such specificity as the Committee deems necessary, including a list of assets and liabilities of the nominee and tax returns for the 3 years preceding the time of his or her nomination, and copies of other relevant documents requested by the Committee, such as a proposed blind trust agreement, necessary for the Committee's consideration; and,

(3) Copies of other relevant documents the Committee may request, such as responses to questions concerning the policies and programs the nominee intends to pursue upon taking office. At the request of the Chairman or the Ranking Minority Member, a nominee shall be required to submit a certified financial statement compiled by an independent auditor. Information received pursuant to this subsection shall be made available for public inspection; provided, however, that tax returns shall, after review by persons designated in subsection (C) of this rule, be placed under seal to ensure confidentiality.

C. Procedures for Committee inquiry. The Committee shall conduct an inquiry into the experience, qualifications, suitability, and integrity of nominees, and shall give particular attention to the following matters:

(1) A review of the biographical information provided by the nominee, including, but not limited to, any professional activities related to the duties of the office to which he or she is nominated;

(2) A review of the financial information provided by the nominee, including tax returns for the 3 years preceding the time of his or her nomination;

(3) A review of any actions, taken or proposed by the nominee, to remedy conflicts of interest; and

(4) A review of any personal or legal matter which may bear upon the nominee's qualifications for the office to which he or she is nominated. For the purpose of assisting the Committee in the conduct of this inquiry, a Majority investigator or investigators shall be designated by the Chairman and a Minority investigator or investigators shall be designated by the Ranking Minority Member. The Chairman, Ranking Minority Member, other Members of the Committee, and designated investigators shall have access to all investigative reports on nominees prepared by any Federal agency, except that only the Chairman, the Ranking Minority Member, or other Members of the Committee, upon request, shall have access to the report of the Federal Bureau of Investigation. The Committee may request the assistance of the U.S. Government Accountability Office and any other such expert opinion as may be necessary in conducting its review of information provided by nominees.

D. Report on the Nominee. After a review of all information pertinent to the nomination, a confidential report on the nominee shall be made in the case of judicial nominees and may be made in the case of non-judicial nominees by the designated investigators to the Chairman and the Ranking Minority Member and, upon request, to any other Member of the Committee. The report shall summarize the steps taken by the Committee during its investigation of the nominee and the results of the Committee inquiry, including any unresolved matters that have been raised during the course of the inquiry.

E. Hearings. The Committee shall conduct a public hearing during which the nominee shall be called to testify under oath on all matters relating to his or her suitability for office, including the policies and programs which he or she will pursue while in that po-

sition. No hearing shall be held until at least 72 hours after the following events have occurred: The nominee has responded to pre-hearing questions submitted by the Committee; and, if applicable, the report described in subsection (D) has been made to the Chairman and Ranking Minority Member, and is available to other Members of the Committee, upon request.

F. Action on confirmation. A mark-up on a nomination shall not occur on the same day that the hearing on the nominee is held. In order to assist the Committee in reaching a recommendation on confirmation, the staff may make an oral presentation to the Committee at the mark-up, factually summarizing the nominee's background and the steps taken during the pre-hearing inquiry.

G. Application. The procedures contained in subsections (C), (D), (E), and (F) of this rule shall apply to persons nominated by the President to positions requiring their full-time service. At the discretion of the Chairman and Ranking Minority Member, those procedures may apply to persons nominated by the President to serve on a part-time basis.

#### RULE 9. PERSONNEL ACTIONS AFFECTING COMMITTEE STAFF

In accordance with Rule XLII of the Standing Rules of the Senate and the Congressional Accountability Act of 1995 (P.L. 104-1), all personnel actions affecting the staff of the Committee shall be made free from any discrimination based on race, color, religion, sex, national origin, age, state of physical handicap, or disability.

#### RULE 10. APPRISAL OF COMMITTEE BUSINESS

The Chairman and Ranking Minority Member shall keep each other apprised of hearings, investigations, and other Committee business.

#### RULE 11. PER DIEM FOR FOREIGN TRAVEL

A per diem allowance provided a Member of the Committee or staff of the Committee in connection with foreign travel shall be used solely for lodging, food, and related expenses and it is the responsibility of the Member of the Committee or staff of the Committee receiving such an allowance to return to the United States Government that portion of the allowance received which is not actually used for necessary lodging, food, and related expenses. (Rule XXXIX, Paragraph 3, Standing Rules of the Senate.)

### INF TREATY

Mr. MENENDEZ. Mr. President, today I wish to express my deep concerns regarding President Trump's suspension of U.S. participation in the Intermediate-range Nuclear Forces—INF—Treaty and decision to withdraw from the treaty in 6 months.

Before diving into the substance of this misguided decision, I am compelled, as the ranking member of the Senate Foreign Relations Committee, to object to the process.

The President is pulling out of this treaty, a treaty that was approved by the U.S. Senate by a vote of 93-5 and that has been in force for three decades, without official notice or any meaningful consultation with the Senate Committee on Foreign Relations, the congressional committee charged with responsibility and jurisdiction over treaties and without the approval of the Senate.

This was despite multiple opportunities to explain the rationale for this de-

cision, including a Senate Foreign Relations Committee hearing on arms control and Russia. In that hearing, senior officials from the Department of State and the Department of Defense provided no indication that a decision to withdraw was even imminent, nor that U.S. forces envisioned any military operational benefit from near-term withdrawal.

Article 2 of the Constitution endows the President and the Senate with shared power over treaties, including an exceptionally high bar for advice and consent. This President's unilateral decision to withdraw from the INF, without any meaningful engagement with the Senate, much less the approval of this body, is impossible to square with this shared constitutional power.

In that vein, I urge all of my colleagues to focus not just on the substance of the President's decision but also on the process. INF is not alone; it is one of several treaties that the President has jettisoned without any input from the Senate. He is eroding the constitutional powers and institutional prerogatives of this body, and we cannot be silent.

Even if the President had followed a sound process, this decision is misguided on substance. It is another example of the President and his team's apparent belief that destroying international agreements, with little or no thought given to how to address the underlying problem, is the solution to a complex security issues.

In this case, there is no doubt, what the problem is and where it comes from.

Russia, and Russia alone, bears the responsibility for the degradation of the Intermediate-range Nuclear Forces Treaty. It has brazenly violated the treaty and has been unwilling to take the steps necessary to come back into compliance.

Director of National Intelligence Dan Coats has succinctly laid out Russia's efforts to undermine the INF treaty. He stated "the Intelligence Community assesses Russia has flight-tested, produced, and deployed cruise missiles with a range capability prohibited by the Treaty."

Why is Russia doing this? Again, according to Director Coats: Russia is developing missiles to "target critical European military and economic infrastructure" with both conventional and nuclear capabilities. Russia is seeking the means to coerce our European and Asian allies by "posing a direct conventional and nuclear threat" to them.

Russia's violation of its INF treaty obligations and its nuclear threats against Europe are not particularly surprising. It fits within a pattern of malign behavior that seeks to undermine the security framework that contributed to the peaceful end to the Cold War. Russia has suspended its participation in the Treaty on Conventional Armed Forces in Europe and of course

violated the core principles of the Helsinki accord by annexing Crimea and invading Ukraine.

The question has never been whether Russia is violating the INF treaty. It is and has been in violation. The question is how the United States should respond.

Throughout the process of trying to bring Russia back into compliance, I have raised serious concerns about the Trump administration's approach. As is the case with most major foreign policy challenges facing the United States, the Trump administration lacks a coherent strategy. In this case, they do not appear to have any realistic plan to address the threat that new Russian missile capabilities pose to the interests of the United States and those of our allies.

By withdrawing from INF at this time, the United States is providing Russia with a pass on its obligations and giving them the unfettered and unconstrained opportunity to expand the deployment of their new missile system. The U.S. does not have the assets in place to defend against Russia's new missile, nor is it anywhere close to developing, manufacturing, and deploying a similar system that would operate as a counter to it.

So the President is shredding the INF treaty without any credible alternative. It is not just bad policy; it is dangerous to European security. The path the administration has chosen leaves our allies vulnerable to Russian aggression, and at this moment, there is no recourse for the United States or our allies.

It is within this vein of poor foreign policy planning that I want to discuss a second issue related to INF. In 2021, the United States will face the decision whether to extend New START. I am extremely concerned that President Trump has no appreciation or understating of the importance of arms control treaties and that this deficiency will lead him to abandon all limitations on U.S.-Russian nuclear forces.

We have historically negotiated and entered into agreements with our adversaries recognizing that we are dealing with hostile powers that cannot be trusted. We build in metrics that account for a probability of efforts to deceive and dodge. In high stakes agreements, provisions outlining U.S. intelligence verification and compliance are essential. In the universe of arms control agreements with Russia, we conduct on-site inspections of military bases and facilities, and we require data exchanges in order track the status and makeup of their nuclear forces.

In assessing the value of an arms control agreement, we consider whether our participation in the agreement advances our national security interests.

Let's be clear: The New START treaty clearly advances vital U.S. national security interests. Through our inspection regime, we are able to verify that Russia is adhering to the limitations

the treaty places on the size of Russia's strategic nuclear arsenal. Through our data exchanges and our verification regimes, we gain extremely valuable insights into the size and location of their nuclear forces.

At a time when Russia is engaged in malign behavior all over the world and Putin is pressing to reassert Russian power, it is critical we maintain key leverage points to protect against a revisionist Russia. New START is one of those points, and I urge my colleagues and the administration that, in light of ongoing Russian compliance with New START, we must extend the treaty for an additional 5 years.

I strongly urge the administration try a new approach and develop a coherent strategy to stabilize our arms control regime. The relationship with the Russian Federation remains a challenge, but we must address these arms control issues and negotiate a durable agreement that ensures stability in our nuclear forces.

Neither an unconstrained nuclear arms race nor blind faith in arms control agreements serve U.S. national security interest. American security is best served through a strong, credible deterrent that operates within a legally binding, stable, and constrained arms control environment.

#### S.1

Mr. VAN HOLLEN. Mr. President, I come to the Senate floor today with a sense of great disappointment, disappointment in what my colleague, the senior Senator from Florida and the Republican leader have done with the bill that was before us. Because they have taken a bill that had broad—maybe unanimous—bipartisan support and tried to turn it into a political weapon. As a result, they are doing a great disservice to the American people and to all of us who value the tradition of strong bipartisan support for our friend and ally, Israel. I also opposed Senator MCCONNELL's amendment to S.1 because it contains language that could require the perpetual presence of American forces in Afghanistan and Syria.

I am a cosponsor of the original bill S.2497 entitled the United States-Israel Security Assistance Authorization Act of 2018. It is a bill to codify the memorandum of understanding between the United States and Israel, that was forged under President Obama and which provides Israel with \$38 billion in security assistance over the next 10 years. This includes \$33 billion in foreign military financing funds to Israel and \$5 billion in missile defense assistance for the Iron Dome, David's Sling, and the Arrow-3.

That is a lot of money when you consider the many priorities we have here at home and abroad. In fact, more than one-half of our entire global foreign military financing, the security assistance we provide to all of our partners and allies around the world, goes to Israel.

In my view, it is an important investment, it is an important investment to support our friend and democratic ally Israel from the many threats it faces in a very dangerous neighborhood—threats from Iran, Syria, Hezbollah, Hamas, and many others. We need to make sure Israel maintains a strong military edge to defend itself, and that is why you have strong bipartisan support for that original bill.

But then the Republican leader took a bill with broad bipartisan support for Israel and added a provision designed to retaliate against American citizens who express their disagreement with certain policies of the government of Israel by participating in certain boycott activities. Specifically, the Senator from Florida added a provision that encourages States throughout the country to pass laws to punish American citizens who choose to protest the settlement policies of the government of Prime Minister Netanyahu by either boycotting products made in Israeli settlements in the West Bank or by not otherwise engaging in commerce with such settlements.

Now—and I want to make this clear—while I disagree with some of the policies adopted by the Netanyahu government in Israel, I do not—I do not in any way support a boycott as a method of expressing those disagreements.

But—let me be equally clear on this point—I will fiercely defend the constitutional right of any American citizen to express his or her views in such a peaceful way if they so choose. Just as I would support the right of every American to engage in other political boycotts to peacefully express their political views without fear of being punished by their government.

The Senator from Florida wants to use the power of the State to punish American citizens who disagree with him on this issue. It is right here in the bill. Let me read some of the relevant parts.

A state may adopt and enforce measures . . . to restrict contracting by the state for goods and services with—any entity that . . . knowingly engages in . . . boycott activity . . . intended to limit commercial relations with Israel or persons doing business in Israel or Israeli-controlled territories for purposes of imposing policy positions on, the Government of Israel.

So how does this new provision encourage States to retaliate against American citizens? It encourages States to pass laws to deny their citizens the right to bid on any State contracts unless those citizens sign an oath stating that they do not or will not engage in any boycott of Israel, including any boycott relating the sale or purchase of goods or services from Israeli settlements in the West Bank.

Think about that. Let's say you are an American citizen living in my State of Maryland. Let's say you own a computer consulting business and you happen to disagree with Israeli Prime Minister Netanyahu's policy of expanding

settlements on the West Bank near the city of Bethlehem, and you want to express your opposition to that policy, and let's say you choose to protest that policy by deciding that you will not provide your services to businesses located in those settlements on the West Bank.

If you did that, you would be prohibited by State law from bidding on a contract to provide computer consulting services to a Maryland State agency. Think about that. You may run the best computer consulting business in the State of Maryland, but if you don't sign an oath renouncing your right to engage in a boycott, you cannot win any contract with the State. In other words, even if you are the best, most qualified bidder, you would be disqualified from winning that State contract because of your peaceful political activity having nothing to do with your ability to fulfill the contract.

Does that sound unconstitutional? Of course, it is unconstitutional. And, guess what? That is what two Federal courts have already concluded about State laws that already do what Senator RUBIO's bill is proposing. I am going to review those decisions in a moment, but before I do, let me respond to the really flimsy defense the senior Senator from Florida and others have offered to try to justify this effort to punish free expression. Here is what Senator RUBIO tweeted out: "Opposition to our bill isn't about free speech. Companies are FREE to boycott Israel. But state and local governments should be FREE to end contracts with companies that do."

This reflects a profound misunderstanding of the First Amendment. It turns the First Amendment on its head. It is like saying to our fellow Americans, you are free to peacefully express yourselves however you want, but the government is then free to use the power of the State to punish you for doing so. You are free to express your political opinions, but, if we don't like what you say, the State is free to pass laws to prevent you from doing any business with the State.

That is State-sponsored discrimination against disfavored political expression. I would remind my colleagues that the First Amendment is not designed to protect government from its citizens; it is designed to protect citizens, who may engage in unpopular speech, from retaliation by the government.

What if a State passed a law to penalize gun control advocates who boycotted stores that sold semiautomatic weapons? What if a State retaliated against anti-abortion activists who boycotted health clinics that provide abortion services?

So Senator RUBIO's proposal is a textbook example of why we need the First Amendment.

I have heard others defend this measure by saying: "It is simply a law to boycott the boycotters." A cute slogan

but, again, a stunning ignorance of the First Amendment. Yes, any of us, as individuals, can always decide to boycott those whose boycotts we disagree with. Each of us is free to boycott those businesses who choose to boycott Israeli settlements in the West Bank, but that is not what this bill does. This bill calls upon States to use the power of the State, the power of the government to punish peaceful political actions we don't like. Again, that is patently unconstitutional.

That is the conclusion reached by two Federal courts that struck down the kind of State laws that Senator RUBIO seeks to promote.

In Kansas, a Federal judge blocked the enforcement of a State law requiring any state contractor to submit a written certification that they are "not currently engaged in a boycott of Israel." In the Kansas case, a woman who had served as a public school math teacher for 9 years was barred from participating in a State-sponsored teacher training program because she refused to sign a certification that she wasn't participating in a boycott of Israel.

The court found that the antiboycott certification requirement was designed to suppress political speech and was "plainly unconstitutional." In his opinion, the judge wrote, "[T]he Supreme Court has held that the First Amendment protects the right to participate in a boycott like the one punished by the Kansas law."

In Arizona, a Federal court blocked a State law requiring contractors to certify that they will not boycott Israel, finding again that the law violates the right of free speech. In this case, an attorney contracted with the government to provide legal services to incarcerated individuals. Because of his political views, the attorney refused to purchase goods from businesses supporting Israeli settlements in the West Bank. Because he would not submit a written certification that he wasn't boycotting Israel, he was barred from contracting with the State to provide legal services.

In this case, the court held, "A restriction of one's ability to participate in collective calls to oppose Israel unquestionably burdens the protected expression of companies wishing to engage in a boycott. The type of collective action targeted by the [law] specifically implicates the rights of assembly and association that Americans and Arizonans use 'to bring about political, social, and economic change.'"

There are a number of other challenges to laws requiring government contractors to certify they are not boycotting Israel or Israeli settlements, on the grounds that they violate an American's fundamental right to free speech.

In Texas, there are two pending First Amendment challenges to a law requiring State contractors to certify they will not boycott Israel or its settlements.

In the first Texas lawsuit, four individuals were required to choose between signing a certification that they are not participating in a peaceful boycott or losing income and other professional opportunities. These individuals include a freelance writer who lost two service contracts from the University of Houston; a reporter who was forced to sign the certification against his conscience in order to keep his job; a Ph.D. candidate at Rice University, who was forced to forfeit payment for judging at a debate tournament; and a student at Texas State University, who has had to forego opportunities to judge high school debate tournaments.

In the second lawsuit, a Texas speech pathologist, who had worked with developmentally disabled, autistic, and speech-impaired elementary school students for 9 years, was fired because she refused to sign an addendum to her contract renewal saying she would not boycott Israel or Israeli settlements.

In my home State of Maryland, a software engineer is challenging an executive order requiring contractors to certify in writing that they are not boycotting Israel or its settlements. In that case, the individual was barred from bidding on government software program contracts because he would not sign such a certification.

These laws are patently unconstitutional.

Now, I will speak briefly to a recent court decision in Arkansas, in which the judge ruled in favor of a law prohibiting the State from contracting with or investing in individuals or firms that boycott Israel or its settlements.

This decision is destined for dustbin of history. I am not sure any Senator wants to be associated with its holding. It concludes that a boycott "is not speech, inherently expressive activity, or subject to constitutional protection."

The banner right here on page 9 on the opinion reads: "A Boycott Is Neither Speech Nor Inherently Expressive Conduct."

In other words, States can pass laws banning or penalizing boycotts that they don't like. Years ago, as a college student, I was active in the movement to divest from companies that did business with the apartheid regime of South Africa. Under the Arkansas court decision, a State could pass a law that could ban that conduct or at least penalize me if I did business as a sole proprietor and sought State contracts.

There is no doubt that the Arkansas decision will be overturned. That is because the Supreme Court explicitly held in the case of *NAACP v. Claiborne Hardware* that the First Amendment protects the right to participate in a boycott for political purposes. The judge in the Arkansas case attempts to narrow that *NAACP* holding in a way that is clearly inconsistent with the First Amendment protections. I urge my colleagues to read all three decisions from the Federal district courts in Kansas, Arizona, and Arkansas.



Now, as I said earlier, I do not support the boycott of Israel as a means of pressing the Netanyahu government to change some of its policies, but here is what I predict: I predict that the boycott movement will continue to grow for a number of reasons. At the top of that list is the fact that the Trump administration's actions and inaction are adding oxygen to the boycott movement.

To start, the Trump administration has abandoned any pretense of trying to prevent the expansion of Israeli settlements in new parts of the West Bank. There has been a big jump in the number of tenders and settlement plans since President Trump took office. In fact, our Ambassador there, Ambassador Freidman, has been a vocal cheerleader for additional settlements in new areas. In doing so, the Trump administration has abandoned what had been a long-held bipartisan position of the U.S. Government. Here are a few statements from Presidents of both parties over the past 40 years.

President Ronald Reagan, in 1982, said, "Settlement activity is in no way necessary for the security of Israel and only diminishes the confidence of the Arabs that a final outcome can be freely and fairly negotiated."

President George H.W. Bush, in 1990, said, "The foreign policy of the United States says we do not believe there should be new settlements in the West Bank or in East Jerusalem."

President Bill Clinton, in 2001, said, "The settlement enterprise and building bypass roads in the heart of what they already know will one day be part of a Palestinian state is inconsistent with the Oslo commitment that both sides negotiate a compromise."

President George W. Bush spoke out against new settlements. In 2002, he said, "Israeli settlement activity in occupied territories must stop, and the occupation must end through withdrawal to secure and recognized boundaries."

Finally, President Obama, in 2009, said, "The United States does not accept the legitimacy of continued Israeli settlements. This construction violates previous agreements and undermines efforts to achieve peace. It is time for these settlements to stop."

The provision before us today directly contradicts this long stated U.S. policy by drawing no distinction between someone boycotting businesses located in the State of Israel and someone boycotting businesses located in settlements in the territories. In other words, this provision and the State laws it promotes supports the same penalty for those who boycott commerce with a business in Tel Aviv as it does those who boycott commerce with businesses in the settlements, including outposts that may be illegal even under Israeli law. This provision that was before us erases an important distinction in American policy that has been endorsed by Presidents of both parties.

One of the reasons for discouraging settlements and outposts in new areas is to preserve the option for a two-state solution, an option that has previously been supported by Presidents of both parties, as well as pro-Israel groups, including AIPAC, J Street, and others. It is a demographic reality that, in order to ensure a Jewish State that is democratic and provides equal rights to all its citizens, there must be a two-state solution.

Now, such a solution should come about through a negotiated settlement between the parties, the Israelis and the Palestinians. We all know that dysfunction and obstruction on the Palestinian side has been one obstacle to reaching an agreement, but that does not justify changing the status quo on the ground by adding settlements in new areas that will make a two-state solution impossible.

Second, the Trump administration, under the guidance of the President's designated Middle East senior adviser, his son-in-law, Jared Kushner, has embarked on undisguised effort to crush the Palestinians by revoking all U.S. humanitarian assistance.

Here we are, authorizing \$38 billion for U.S. military support for Israel, something I strongly support and am a cosponsor of, while at the same time the Trump administration has eliminated—eliminated—humanitarian and other assistance to help the Palestinian people, many of whom are living in horrible conditions.

The Trump administration has eliminated assistance that helps provide medical care, clean water and food to hundreds of thousands of vulnerable Palestinian children and families. Much of this assistance is provided by organizations like Catholic Relief Services and the Lutheran World Federation.

President Trump has also eliminated \$25 million in U.S. support to a network of six hospitals in East Jerusalem, support the Congress explicitly protected under the Taylor Force Act. In doing this, he gutted funding for the main hospital providing cancer treatment for patients in the West Bank and Gaza and kidney dialysis for children. These hospitals include Lutheran Augusta Victoria Hospital, the Anglican St. John of Jerusalem Eye Hospital, and the Catholic St. Joseph Hospital, American-founded institutions that fall under our American Schools and Hospitals Abroad program. The Trump administration has eliminated support for those programs.

The effort to crush the Palestinians into submitting to a one-sided agreement will never work. President Trump and Jared Kushner apparently think this is just another real estate deal where you turn off the water and electricity to force your tenants out. Instead, these actions by the Trump administration will add fuel to the boycott movement because many people will see no other vehicle for expressing their views.

Finally, to the Senator from Florida and others, nothing, will motivate Americans to exercise their rights more than efforts to suppress them. Trying to suppress free speech, even unpopular speech, even conduct that we don't support here and I don't support, that will only add momentum.

I will end where I started. It is a really shameful and disappointing day when the sponsors of this legislation took a bill demonstrating strong bipartisan support for Israel, to our friends and allies that share our commitment to democracy, and share other values we hold dear, that Senators took that bill and used it to attack the constitutional rights of American citizens who may want to peacefully demonstrate their opposition to some of the Netanyahu government's policies—not in the way you would choose, not in the way I would choose—but in a way they have a right to do as American citizens.

So in making these changes to the bill, the sponsors are sabotaging what was a bipartisan bill to support our friend and ally Israel and in the process strengthening the very boycott movement that we seek to oppose. That hurts Israel. That hurts the United States. This is a really sad day in the U.S. Senate, when we took something that we all agreed on and decided to use it to attack the constitutional rights of American citizens to express opinions we may disagree with.

Furthermore, I oppose Senator McConnell's amendment to S. 1, which calls for "the Administration to certify that conditions have been met for the enduring defeat of al Qaeda and ISIS before initiating any significant withdrawal of United States forces from Syria and Afghanistan." I strongly believe we have to finish the job and destroy and al Qaeda and ISIS, but Senator McConnell leaves undefined what an "enduring defeat" means in this context. Does he mean an enduring defeat of the ideology of ISIS and al Qaeda, which may never be achieved? Does he mean the removal of every single fighter from the battlefield, which the administration might also never be able to certify? By leaving this standard so nebulous, Senator McConnell has seemingly endorsed an indefinite presence of U.S. troops in both countries, bolstering the positions of the most hawkish members of President Trump's Cabinet, National Security Adviser John Bolton and Secretary of State Mike Pompeo.

Though I do not support an indefinite U.S. presence in Syria, I also oppose President Trump's abrupt decision for an immediate withdrawal from Syria. This rash decision puts at risk our mission to defeat ISIS and endangers the future of our Syrian Kurdish allies, who have been the tip of the spear in that fight. Ilham Ahmed, the cochair of the Syrian Democratic Council, underscored this point in a meeting I convened with a bipartisan group of Senators last week.

That is why I introduced a bipartisan amendment with Senator TOOMEY, which calls for a clear, publicly articulated strategy that will guide the withdrawal of U.S. forces from Syria. Critically, our amendment also makes clear that the United States must protect the Syrian Democratic Forces from attacks by Turkey, which is more focused on destroying the Syrian Kurds than defeating ISIS.

Finally, this legislation does not acknowledge the obvious: We have a reckless President who undermines our security daily. We have a President who conducts foreign policy by tweet and champions the views of brutal dictators, like Vladimir Putin and Kim Jong Un, above that of his own top intelligence officials. We have a President who has compromised American credibility; allies and adversaries alike cannot trust if his grand pronouncements will translate into action or if they will just as quickly be reversed. More than any President before him, President Trump has shirked America's founding principles and our values as a nation. Until Republicans in the Congress acknowledge that obvious point, our ability to preserve American leadership abroad will be greatly compromised.

For all of these reasons, I voted against S. 1.

Ms. DUCKWORTH. Mr. President, while the Strengthening America's Security in the Middle East Act is clearly far from perfect, the majority of the legislation addresses several key priorities that are particularly important to me: formalizing long-term security aid to Israel, supporting our Jordanian allies' fight against the Islamic State, and sanctioning the Syrian financial system over the Assad regime's human rights abuses.

These provisions represent important measures to concretely support our allies and address serious national security concerns. The legislation as a whole also preserves Obama administration international agreements that promote regional security while providing the Trump administration with more tools to levy sanctions against human rights abusers in the Assad regime in Syria.

I also strongly oppose the BDS movement. However, I have long had concerns about the Combating BDS Act and similar legislation, which could be interpreted to change longstanding U.S. policy towards Israeli settlement activity and could have negative implications on domestic freedom of speech protections. Those concerns are rightly being litigated in Federal court. This bill does not protect a state or local BDS law from being challenged in court by an individual on constitutional grounds.

While this was among the more difficult votes I have taken, ultimately the national security and other benefits of the entirety of this legislation could not be ignored or passed up.

#### REMEMBERING CHARLES S. KETTLES

Ms. STABENOW. Mr. President, today I wish to pay tribute to a Michigan veteran whose bravery, spirit of service, and selfless dedication to his fellow soldiers earned him the Nation's highest military honor and the eternal gratitude of 44 American families.

Charles S. Kettles was Michigan through and through. He was born in Ypsilanti in 1930, and that is where he passed away on January 21, 2019, a couple of weeks after his 89th birthday.

He attended Edison Institute High School in Dearborn and fell in love with flying in the school's flight simulator. Perhaps it was no surprise; his father served as a military pilot during both World Wars.

Charlie was active in the community. He and his brother opened a Ford dealership in DeWitt. He later earned a master's degree in industrial technology from Eastern Michigan University and launched its aviation program. He served on the Ypsilanti City Council and in the local Kiwanis club. He was close to his family and enjoyed his nine grandchildren.

In many ways, Charlie lived an ordinary Michigan life. What made his life truly extraordinary were events that happened far away from Ypsilanti on the other side of the world.

Charlie was drafted into the Army in 1951, attended Army aviation school, and served tours in Japan and Thailand. He retired from Active Duty in 1956, and that could have been the end of his military service, but the Army was in desperate need of helicopter pilots during the Vietnam war. So in 1963, Charlie volunteered for active duty and learned to fly the UH-1D "Huey."

Those skills would save lives on May 15, 1967, when then-Major Kettles volunteered to lead a flight of six Hueys on a rescue mission when members of the 101st Airborne Division were ambushed by enemy troops.

The helicopters came under fire, but that didn't stop Charlie. He kept on flying. When he returned to base after his second rescue flight, his helicopter was leaking fuel, and his gunner had been severely wounded.

Then the call came in: 44 Americans still needed to be evacuated. Charlie found a Huey that wasn't leaking fuel, led a flight of six evacuation helicopters back to the landing zone, and successfully rescued the stranded men—or so he thought.

On the flight back to base, Charlie learned that eight troops had been unable to reach the evacuation helicopters. He didn't hesitate. With no regard for his own safety, he turned his Huey around and returned to the landing zone.

His helicopter was hit by gunfire, and a mortar round damaged the rotor blade and shattered the windshield. Despite the damage, Charlie skillfully navigated his helicopter to the landing zone. The remaining troops scrambled

aboard, and all 44 finally made it off the battlefield.

Charlie was awarded the Distinguished Service Cross, the Army's second-highest citation for valor, in 1968; yet when I heard his story, I thought, if anyone was ever worthy of receiving the Medal of Honor, Charlie was.

Typically, the Medal of Honor must be awarded within 5 years of the heroic act. That is why, in 2015, I introduced legislation with Senator GARY PETERS and Congresswoman DEBBIE DINGELL to allow Charlie to receive the Medal of Honor. In 2016, that is just what happened.

"In a lot of ways, Chuck is America," President Obama said during his Medal of Honor ceremony at the White House. "To the dozens of American soldiers that he saved in Vietnam half a century ago, Chuck is the reason that they lived and came home and had children and grandchildren. Entire family trees—made possible by the actions of this one man."

Charlie remained humble about his award.

"Out of all of that, there is really only one thing that means anything—those 40 names are not on the wall in D.C. Awards are nice, but there is far more gratitude in simply knowing that."

Charlie Kettles was a real-life hero and the very best of Michigan. The people of my State and the families of the 44 men he saved will remain forever grateful for his service and sacrifice.

Thank you.

#### ADDITIONAL STATEMENTS

##### 150TH ANNIVERSARY OF THE TOWN OF AUBURN, MAINE

• Mr. KING. Mr. President, today I wish to recognize the town of Auburn, ME, which is celebrating its 150th anniversary this year. Auburn might be a small city, but it features something for everyone, from recreation activities and parks and trails to cultural opportunities, a variety of restaurants, shopping, and public and private school options. Located along the banks of the Androscoggin River, Auburn is home to over 23,000 residents and is the county seat of Androscoggin County.

Auburn was first incorporated on February 22, 1869, and was created by annexing parts of the surrounding towns of Poland, Minot, and Danville, previously called Pejepscot. Auburn was the first city in Maine to adopt a council-manager form of government and grew into one of Maine's largest municipalities. In the early to mid-1800s, a new bridge across the Androscoggin River to Lewiston and the arrival of the Atlantic and St. Lawrence Railroad helped spur development in Auburn. Like many Maine towns, Auburn developed into a mill town, and many of those mills were powered by the falls on the Androscoggin and Little Androscoggin

Rivers. Auburn was also the home to a number of other manufacturing plants, including shoes, cotton and woolen textiles, carriages, bricks, and furniture. The population of the city grew quickly through the end of the 1800s, mostly due to the influx of French-Canadian immigrants coming to the city to work at the shoe factories.

By the late 19th century, shoe manufacturing became the dominant industry in Auburn. In fact, the city seal depicts a spindle with different types of shoes at each outside point. In 1917, one factory in Auburn was producing 75 percent of the world's supply of white canvas shoes. Like many manufacturing towns, Auburn has had to reinvent itself in recent years, and they have shown their resiliency and grit. Today, Auburn is as vibrant as ever.

The city of Auburn has contributed to the energy, vitality, and commerce of the State of Maine and is poised to make the next 150 years some of the best years in its long and cherished history. I hope that the citizens of Auburn take the opportunity during this year-long birthday celebration to reconnect to their roots, share their life stories, and remind current and future generations about the rich past and the bright future ahead of us all. Happy 150th birthday, Auburn, and congratulations to all the citizens of this great Maine community.●

#### REMEMBERING HAYNES SECURITY SERVICES, INC.

● Mr. RUBIO. Mr. President, it is my privilege to highlight a Florida small business that displays the unique entrepreneurial spirit found across my home State of Florida. As chairman of the Senate Committee on Small Business and Entrepreneurship, each week I recognize a small business that exemplifies ingenuity, hard work, and dedication to improving their community. Today, it is my distinct privilege to honor Haynes Security Services, Inc., of Miami, FL, as the Small Business of the Week.

Founded in 2011, Haynes Security Services has grown from a small firm focused on security consulting, to a full-service security company with 35 employees and more than \$600,000 in annual revenues. It has done so in the heart of Liberty City, which has a long, proud, yet complicated, history. In recent years, Liberty City has been characterized as a community that suffers with poverty, schools that have struggled, majority single-parent households, and a declining workforce. However, history tells us that this a community that not that long ago was thriving with entrepreneurs, economic opportunity, and strong families. I think those virtues, those values, and those ambitions still remain in the heart in the soul of the people who live in Liberty City.

On February 1, 2019, I held a committee field hearing in Liberty City to have an in-depth discussion with com-

munity advocates about ways that small business policies and collaboration between Federal and city agencies can encourage economic growth and upward mobility in our more vulnerable communities. We discussed how, together, we can support an upward mobility that honors the men, women, and children who live in that community and to provide jobs in the community that support safe and affordable housing options. Small businesses are rooted in their communities, and when an owner of that business also grew up in that community, they are going to hire local citizens, and they are going to support local partnerships and organizations.

It is at the hearing that I learned of Edward "Ed" Haynes. Haynes Security Services is a shining example of what is possible in Liberty City and communities just like it. After spending 6 years in the U.S. Marine Corps, Ed joined the Miami Shores Police Department, becoming the organization's first African-American police officer. In the early 1990s, Ed's background and expertise led him into the private security industry where he consulted before founding Haynes Security Services in 2011. Combined, Ed has more than 30 years of security experience under his belt.

As Ed's company has grown from just 1 employee to 30 officers, he ensured that it remains family-owned and operated and rooted in the Liberty City community. He relies on his wife Adriene, who is the chief financial officer, and his daughters, Chakara, who provides human resources support, and Candyce, who is in charge of the company's marketing. Ed noted the incredible responsibility in providing for 30 families, including those of his own daughters.

Today, Haynes Security Services provides a wide range of security services, including investigations, security consultations, executive protection, and electronic security solutions. Recently, the company took on larger contracts to provide security for the Miami-Dade Metrorail, large real estate development companies, as well as major events in Miami. In addition to these services, Haynes Security Services also provides private security licensing and certification training as required by the State of Florida.

In 2017, Ed and his team were named the Veteran-Owned Business of the Year by both the Small Business Administration South Florida District Office and the State of Florida. Throughout the company's history, Haynes Security Services has worked closely with the Florida Small Business Development Center, SBDC, at Florida International University. This partnership has given Ed and his team the strategic assistance and knowledge they need to pursue major contracts and secure access to capital. Ed credits the practical know-how and dedication of the SBDC consultants with much of the recent success that Haynes Security Services has experienced.

Ed's unique experience and success in the Miami community has given him a platform to give back to his neighborhood. Beginning with his time in the Marine Corps, Ed has remained committed to serving others. Today, he continues this service by mentoring young people and through motivational speaking, where he uses his story to encourage people to reach their full potential.

Companies like Haynes Security Services are a great example of the success that is possible with vision, hard work, and quality service. It is also a testament to the impact that locally owned and operated small businesses, who hire people from the community and are committed to the families who live there, can have on places like Liberty City. I would like to congratulate Ed, Adriene, Chakara, Candyce, and all of the employees at Haynes Security Services on being named Small Business of the Week. I wish you the best of luck as you grow your business and stay active in your community.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Ridgway, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

#### MESSAGE FROM THE HOUSE

At 3:19 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that pursuant to 22 U.S.C. 3003, and the order of the House of January 3, 2019, the Speaker appoints the following Member on the part of the House of Representatives to the Commission on Security and Cooperation in Europe: Mr. HASTINGS of Florida, Chair.

#### MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 340. A bill to promote competition in the market for drugs and biological products by facilitating the timely entry of lower-cost generic and biosimilar versions of those drugs and biological products.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CRAPO, from the Committee on Banking, Housing, and Urban Affairs, without amendment:

S. Res. 47. An original resolution authorizing expenditures by the Committee on Banking, Housing, and Urban Affairs.

By Mr. WICKER, from the Committee on Commerce, Science, and Transportation, without amendment:

S. Res. 48. An original resolution authorizing expenditures by the Committee on Commerce, Science, and Transportation.

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, without amendment:

S. Res. 49. An original resolution authorizing expenditures by the Committee on Homeland Security and Governmental Affairs.

By Mr. BURR, from the Select Committee on Intelligence, without amendment:

S. Res. 51. An original resolution authorizing expenditures by the Select Committee on Intelligence.

By Mr. HOEVEN, from the Committee on Indian Affairs, without amendment:

S. Res. 52. A resolution authorizing expenditures by the Committee on Indian Affairs.

### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. YOUNG (for himself and Ms. BALDWIN):

S. 342. A bill to reauthorize title VI of the Higher Education Act of 1965 in order to improve and encourage innovation in international education, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BARRASSO (for himself, Mr. ROBERTS, and Mr. ENZI):

S. 343. A bill to amend the Internal Revenue Code of 1986 to terminate the credit for new qualified plug-in electric drive motor vehicles and to provide for a Federal Highway user fee on alternative fuel vehicles; to the Committee on Finance.

By Mr. TILLIS:

S. 344. A bill to amend the Federal Food, Drug, and Cosmetic Act and the Securities Exchange Act of 1934 to prevent the inter partes review process for challenging patents from diminishing competition in the pharmaceutical industry and with respect to drug innovation, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASEY (for himself, Mrs. GILLIBRAND, Mrs. MURRAY, Ms. KLOBUCHAR, Ms. STABENOW, and Mr. BLUMENTHAL):

S. 345. A bill to amend title II of the Social Security Act to increase survivors benefits for disabled widows, widowers, and surviving divorced spouses, and for other purposes; to the Committee on Finance.

By Ms. HASSAN (for herself, Mr. SANDERS, Mrs. SHAHEEN, and Mr. MARKEY):

S. 346. A bill to provide for the study and evaluation of net metering, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. GILLIBRAND (for herself and Mr. SCHUMER):

S. 347. A bill to designate the facility of the United States Postal Service located at 40 Fulton Street in Middletown, New York, as the "Benjamin A. Gilman Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MENENDEZ (for himself, Mr. BOOZMAN, and Mr. SCHUMER):

S. 348. A bill to amend title XVIII of the Social Security Act to provide for the distribution of additional residency positions, and for other purposes; to the Committee on Finance.

By Ms. COLLINS (for herself and Mr. CARDIN):

S. 349. A bill to require the Secretary of Transportation to request nominations for, and make determinations regarding, roads to be designated under the national scenic byways program, and for other purposes; to the Committee on Environment and Public Works.

By Mr. DAINES (for himself and Mr. LEAHY):

S. 350. A bill to restore the application of the Federal antitrust laws to the business of health insurance to protect competition and consumers; to the Committee on the Judiciary.

By Mrs. HYDE-SMITH (for herself, Mrs. BLACKBURN, Ms. ERNST, Mr. CRAMER, Mr. ENZI, Mr. SCOTT of South Carolina, Mr. SULLIVAN, Mr. LEE, Mr. ROBERTS, Mr. WICKER, and Mr. ROUNDS):

S. 351. A bill to prohibit Federal funding of State firearm ownership databases, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CORNYN (for himself and Mr. WARNER):

S. 352. A bill to amend the Internal Revenue Code of 1986 to increase the national limitation amount for qualified highway or surface freight transfer facility bonds; to the Committee on Finance.

By Mr. CORNYN (for himself and Mr. KAINE):

S. 353. A bill to amend title 23, United States Code, to improve the transportation infrastructure finance and innovation (TIFIA) program, and for other purposes; to the Committee on Environment and Public Works.

By Mr. WARNER (for himself and Ms. COLLINS):

S. 354. A bill to avoid duplicative annual reporting under the Internal Revenue Code of 1986 and the Employee Retirement Income Security Act of 1974, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BLUMENTHAL (for himself, Mr. MURPHY, Mr. MARKEY, and Ms. WARREN):

S. 355. A bill to establish a grant program to provide assistance to prevent and repair damage to structures due to pyrrhotite; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MURPHY (for himself, Mr. BLUMENTHAL, Ms. WARREN, and Mr. MARKEY):

S. 356. A bill to establish a grant program to provide assistance to States to prevent and repair damage to structures due to pyrrhotite; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. RUBIO (for himself, Mr. WYDEN, and Mr. MARKEY):

S. 357. A bill to require annual reports on religious intolerance in Saudi Arabian educational materials, and for other purposes; to the Committee on Foreign Relations.

By Mr. SCHATZ (for himself, Ms. BALDWIN, Mr. BENNET, Mr. BLUMENTHAL, Mr. CARDIN, Ms. CORTEZ MASTO, Ms. DUCKWORTH, Mr. DURBIN, Mrs. GILLIBRAND, Ms. HARRIS, Mr. KAINE, Mr. KING, Mr. PETERS, Mr. REED, Ms. ROSEN, Ms. SMITH, Mr. UDALL, Mr. VAN HOLLEN, and Ms. KLOBUCHAR):

S. 358. A bill to amend title 13, United States Code, to require the Secretary of

Commerce to provide advance notice to Congress before changing any questions on the decennial census, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CARDIN (for himself and Mr. WICKER):

S. 359. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income certain Federally-subsidized loan repayments for dental school faculty; to the Committee on Finance.

By Mr. MENENDEZ (for himself, Ms. HARRIS, and Mr. BOOKER):

S. 360. A bill to amend the Securities Exchange Act of 1934 to require the submission by issuers of data relating to diversity, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. GARDNER (for himself, Mr. CRAPO, Mr. ROBERTS, Mr. TESTER, Mr. BENNET, Mr. RISCH, and Mr. ENZI):

S. 361. A bill to amend the Internal Revenue Code of 1986 to facilitate water leasing and water transfers to promote conservation and efficiency; to the Committee on Finance.

By Mr. WYDEN (for himself, Mr. BLUNT, Mr. CARPER, Mr. ROBERTS, Ms. STABENOW, Mr. MORAN, Mr. CASEY, Mr. PORTMAN, Mr. BENNET, Mrs. CAPITO, Ms. BALDWIN, and Mr. GARDNER):

S. 362. A bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages; to the Committee on Finance.

By Ms. KLOBUCHAR (for herself, Mr. BLUNT, Mr. CASEY, Mr. INHOFE, and Mr. BOOZMAN):

S. 363. A bill to establish an Intercountry Adoption Advisory Committee, and for other purposes; to the Committee on Foreign Relations.

By Mr. BROWN (for himself and Mr. PORTMAN):

S. 364. A bill to amend the Ohio & Erie National Heritage Canalway Act of 1996 to modify the funding limitation; to the Committee on Energy and Natural Resources.

By Mr. PORTMAN (for himself, Mr. JONES, Ms. ERNST, Mr. ALEXANDER, Mrs. FEINSTEIN, Mrs. FISCHER, Ms. SINEMA, Mr. YOUNG, and Mr. WICKER):

S. 365. A bill to amend section 232 of the Trade Expansion Act of 1962 to require the Secretary of Defense to initiate investigations and to provide for congressional disapproval of certain actions, and for other purposes; to the Committee on Finance.

By Mr. DURBIN (for himself, Ms. HARRIS, Ms. SMITH, Ms. KLOBUCHAR, and Mr. BLUMENTHAL):

S. 366. A bill to shorten monopoly periods for prescription drugs that are the subjects of sudden price hikes; to the Committee on Health, Education, Labor, and Pensions.

### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CRAPO:

S. Res. 47. An original resolution authorizing expenditures by the Committee on Banking, Housing, and Urban Affairs; from the Committee on Banking, Housing, and Urban Affairs; to the Committee on Rules and Administration.

By Mr. WICKER:

S. Res. 48. An original resolution authorizing expenditures by the Committee on Commerce, Science, and Transportation; from the Committee on Commerce, Science, and Transportation; to the Committee on Rules and Administration.

By Mr. JOHNSON:

S. Res. 49. An original resolution authorizing expenditures by the Committee on Homeland Security and Governmental Affairs; from the Committee on Homeland Security and Governmental Affairs; to the Committee on Rules and Administration.

By Mr. LANKFORD (for himself and Mr. BLUNT):

S. Res. 50. A resolution improving procedures for the consideration of nominations in the Senate; to the Committee on Rules and Administration.

By Mr. BURR:

S. Res. 51. An original resolution authorizing expenditures by the Select Committee on Intelligence; from the Select Committee on Intelligence; to the Committee on Rules and Administration.

By Mr. HOEVEN:

S. Res. 52. A resolution authorizing expenditures by the Committee on Indian Affairs; from the Committee on Indian Affairs; to the Committee on Rules and Administration.

By Mr. GRASSLEY:

S. Res. 53. A resolution recognizing the staff of the Office of Legislative Counsel of the Senate on the occasion of the 100th anniversary of the Office; considered and agreed to.

#### ADDITIONAL COSPONSORS

S. 126

At the request of Ms. MURKOWSKI, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 126, a bill to direct the Secretary of the Interior to establish a demonstration program to adapt the successful practices of providing foreign aid to underdeveloped economies to the provision of Federal economic development assistance to Native communities in similarly situated remote areas in the United States, and for other purposes.

S. 130

At the request of Mr. SASSE, the name of the Senator from Arizona (Ms. MCSALLY) was added as a cosponsor of S. 130, a bill to amend title 18, United States Code, to prohibit a health care practitioner from failing to exercise the proper degree of care in the case of a child who survives an abortion or attempted abortion.

S. 162

At the request of Ms. SMITH, the names of the Senator from Delaware (Mr. COONS), the Senator from Arizona (Ms. SINEMA) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 162, a bill to provide back pay to low-wage contractor employees, and for other purposes.

S. 172

At the request of Mr. GARDNER, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 172, a bill to delay the reimposition of the annual fee on health insurance providers until after 2021.

S. 179

At the request of Mr. TESTER, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 179, a bill to direct the Secretary of Veterans Affairs to carry out a clinical trial of the effects of cannabis on cer-

tain health outcomes of adults with chronic pain and post-traumatic stress disorder, and for other purposes.

S. 184

At the request of Mr. MARKEY, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 184, a bill to authorize the appropriation of funds to the Centers for Disease Control and Prevention for conducting or supporting research on firearms safety or gun violence prevention.

S. 238

At the request of Mr. RUBIO, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 238, a bill to amend the State Department Basic Authorities Act of 1956 to monitor and combat anti-Semitism globally, and for other purposes.

S. 246

At the request of Mr. MURPHY, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 246, a bill to block the implementation of certain presidential actions that restrict individuals from certain countries from entering the United States.

S. 262

At the request of Mr. VAN HOLLEN, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 262, a bill to provide for a pay increase in 2019 for certain civilian employees of the Federal Government, and for other purposes.

S. 286

At the request of Mr. BARRASSO, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 286, a bill to amend title XVIII of the Social Security Act to provide for the coverage of marriage and family therapist services and mental health counselor services under part B of the Medicare program, and for other purposes.

S. 293

At the request of Mr. CASSIDY, the name of the Senator from North Dakota (Mr. CRAMER) was added as a cosponsor of S. 293, a bill to enhance border security to reduce drug trafficking and related money laundering.

S. 309

At the request of Mr. SANDERS, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 309, a bill to amend the Internal Revenue Code of 1986 to reinstate estate and generation-skipping taxes, and for other purposes.

S. 311

At the request of Mr. SASSE, the name of the Senator from Arizona (Ms. MCSALLY) was added as a cosponsor of S. 311, a bill to amend title 18, United States Code, to prohibit a health care practitioner from failing to exercise the proper degree of care in the case of a child who survives an abortion or attempted abortion.

S. 319

At the request of Mrs. MURRAY, the name of the Senator from Colorado

(Mr. BENNET) was added as a cosponsor of S. 319, a bill to improve the reproductive assistance provided by the Department of Defense and the Department of Veterans Affairs to severely wounded, ill, or injured members of the Armed Forces, veterans, and their spouses or partners, and for other purposes.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. COLLINS (for herself and Mr. CARDIN):

S. 349. A bill to require the Secretary of Transportation to request nominations for, and make determinations regarding, roads to be designated under the national scenic byways program, and for other purposes; to the Committee on Environment and Public Works.

Ms. COLLINS. Mr. President, I rise today to discuss the Reviving America's Scenic Byways Act, a bill I have introduced with my colleague from Maryland, Senator CARDIN. Our bill seeks to revive the long-dormant process within the U.S. Department of Transportation through which some of our Nation's most remarkable roadways can earn the prestigious designation of "National Scenic Byway."

The National Scenic Byways Program began as a grassroots effort to help recognize, preserve, and enhance selected roads throughout the United States based on one or more cultural, historic, natural, recreational, and scenic qualities. Today, there are more than 150 distinct roads nationwide that have been recognized as National Scenic Byways—including several which have gained the honor of being named an "All-American Road."

I am proud that my home State of Maine boasts not only three National Scenic Byways, but also the Acadia All-American Road. These roadways provide Mainers and tourists alike with spectacular views and memorable experiences, while at the same time spurring much-needed economic activity in the surrounding areas. The National Scenic Byways program represents a true win-win scenario by protecting precious corridors and providing tangible benefits for local communities.

Despite this program's proven value, its nomination process has been inactive since the passage of the 2012 surface transportation funding bill (also known as MAP-21). As a result, numerous roadways across the country have been prevented from pursuing National Scenic Byway designation.

In fact, a recent survey found that at least 44 State scenic byways across the country are prepared to seek national designation as soon as the program is reopened to nominations. It is critical that we provide these local byways the opportunity to seek the Federal designation and reap its demonstrated benefits.

Mr. President, I urge my colleagues to support this bill, which in turn supports the preservation of America's

most unique roadways and the facilitation of increased economic activity in the regions that they serve.

By Mr. CARDIN (for himself and Mr. WICKER):

S. 359. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income certain Federally-subsidized loan repayments for dental school faculty; to the Committee on Finance.

Mr. CARDIN. Mr. President, I rise today with my colleague Senator WICKER to bring your attention to our proposed Dental Loan Repayment Assistance Act. This legislation will provide incentives for dental and dental hygiene graduates to remain as dental school faculty by eliminating certain loan assistance benefits from being counted as taxable income. We rely on dental faculty to train the next generation of oral health providers, but too often, these educators find themselves pushed to work in private practice in order to pay off their student loans. The Dental Loan Repayment Assistance Act will ease some of this financial burden and allow faculty to stay where they are most needed.

There are currently over 5,000 dental health professional shortage areas nationwide—areas where it is hard to find a dental provider even with insurance coverage. By 2025, the Department of Health and Human Services (HHS) projects that the United States will have a national shortage of 15,000 dentists. We can only hope to solve this problem if we can recruit and retain enough faculty to train the next generation of dentists and dental hygienists. Crippling educational debt should not prevent our Nation from having the oral health care providers it needs, and this bill will help address that.

I would also like to take this opportunity to acknowledge that February is National Children's Dental Health Month. Since 1981, this month has afforded us the opportunity to acknowledge the importance of children's dental health. We recognize the significant strides we have made, but we also acknowledge the work that remains to be done. I invite my colleagues to join me to use this month to renew our commitment to ensuring that all children in our country have access to affordable and comprehensive dental services. To echo Former U.S. Surgeon General C. Everett Koop, "there is no health without oral health."

Despite being largely preventable, tooth decay is the single most common chronic health condition among children and adolescents in the United States. It is four times more common than early-childhood obesity, five times more common than asthma, and 20 times more common than diabetes. Among children in families living below the federal poverty line, 52 percent have cavities. Children with cavities in their primary or "baby" teeth are three times more likely to develop cavities in their permanent, adult

teeth, and the early loss of baby teeth can make it harder for permanent teeth to grow in properly. If tooth decay is left untreated, it not only can destroy a child's teeth; it can have a debilitating impact on his or her health and quality of life.

Many have heard me speak before about the tragic loss of Deamonte Driver, a 12-year-old Prince George's County resident, in 2007. Deamonte's death was particularly heartbreaking because it was entirely preventable. What started out as a toothache turned into a severe brain infection that could have been prevented by an \$80 extraction. After multiple surgeries and a lengthy hospital stay, sadly, Deamonte passed away—twelve years ago this month.

Even in less tragic cases, tooth and gum pain can impede a child's healthy development, including the ability to learn, play, and eat nutritious foods. Recent studies have shown that children with poor oral health are nearly three times more likely to miss school due to dental pain, and children reporting recent toothaches are four times more likely to have a lower grade point average than their peers without dental pain.

Tooth decay and oral health problems also disproportionately affect children from low-income families and minority communities. According to the National Institutes of Health, approximately 80 percent of childhood dental disease is concentrated in 25 percent of the population. These children and families often face inordinately high barriers to receiving essential oral health care and, simply put, the consequences can be devastating.

In 2009, Congress reauthorized the Children's Health Insurance Program (CHIP) with an important addition: a guaranteed pediatric dental benefit. Today, CHIP provides affordable comprehensive health coverage—including dental coverage—to more than 8 million children. Thanks to CHIP, we now have the highest number of children with medical and dental coverage in history. In addition, in 2010, Congress included pediatric dental services in the set of essential health benefits established under the Affordable Care Act.

I am very proud that my State of Maryland has been recognized as a national leader in pediatric dental health coverage. In a 2011 Pew Center report, "The State of Children's Dental Health," Maryland earned an "A" and was the only State to meet seven of eight policy benchmarks for addressing children's dental health needs. In addition, in the Maryland Health Benefit Exchange, every qualified health plan now includes pediatric dental coverage, so families do not have to pay a separate premium for dental coverage for their children and do not have a separate deductible or out-of-pocket limit for pediatric dental services. I am pleased to say that our actions have been working, and our numbers are im-

proving. In 2004, nearly 23 percent of all children had untreated tooth decay. In 2016, that number dropped down to 13 percent.

I urge my colleagues to join Senator WICKER and me in supporting the Dental Loan Repayment Assistance Act to help address our critical nationwide shortage of dental healthcare providers and especially dental faculty. We will not continue to allow crippling graduate student debt to deprive the American people of the teachers and mentors we need to train the next generation of oral healthcare providers.

By Mr. DURBIN (for himself, Ms. HARRIS, Ms. SMITH, Ms. KLOBUCHAR, and Mr. BLUMENTHAL):

S. 366. A bill to shorten monopoly periods for prescription drugs that are the subjects of sudden price hikes; to the Committee on Health, Education, Labor, and Pensions.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 366

*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 "Forcing Limits on Abusive and Tumultuous Prices" or the "FLAT Prices Act".

#### SEC. 2. REDUCED MARKET EXCLUSIVITY.

(a) PENALTY.—If the manufacturer of a prescription drug approved under section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) or licensed under section 351 of the Public Health Service Act (42 U.S.C. 262) increases the price of such drug as described in subsection (b), any remaining period of market exclusivity with respect to such drug shall be reduced as follows:

(1) With respect to any price increase described in subsection (b), such market exclusivity shall be reduced by 180 days.

(2) For every 5 percent price increase over the 10 percent, 18 percent, or 25 percent, respectively, threshold price increases described in subsection (b), such market exclusivity shall be reduced for an additional 30 days.

(b) PRICE INCREASE.—A price increase described in this subsection is an increase in the wholesale acquisition cost (as defined in section 1847A(c)(6)(B) of the Social Security Act (42 U.S.C. 1395w-3a(c)(6)(B))) of a prescription drug of more than 10 percent over a 1-year period, more than 18 percent over a 2-year period, or more than 25 percent over a 3-year period.

#### (c) REPORT ON PRICE INCREASE.—

(1) IN GENERAL.—A drug manufacturer that increases the price of a prescription drug as described in subsection (b) shall report such increase to the Secretary of Health and Human Services (referred to in this section as the "Secretary") within 30 days of meeting the criteria for a price increase under such subsection.

(2) FAILURE TO SUBMIT REPORT.—In the case of a drug manufacturer that does not submit a report required under paragraph (1) within the 30-day period described in such paragraph, in addition to the penalty under subsection (a), the period of market exclusivity with respect to such drug shall be reduced by 30 days for each day after the due date of the report until the report is submitted.



(d) **WAIVER.**—The Secretary may waive, or decrease, the reduction in the period of market exclusivity that would otherwise apply under subsection (a) with respect to a prescription drug if—

(1) the manufacturer of such drug submits—

(A) a report under subsection (c)(1); and

(B) an application for such a waiver, at such time, in such manner, and containing such information as the Secretary may require; and

(2) based upon the information in such application, the Secretary determines that—

(A) the price increase is necessary to enable production of the drug, does not unduly restrict patient access to the drug, and does not negatively impact public health; and

(B) such waiver or decrease constitutes a deviation from the reduction in market exclusivity that would otherwise apply under subsection (a) only to the extent necessary to achieve drug production objectives.

(e) **PERIOD OF MARKET EXCLUSIVITY.**—For purposes of this section, the term “period of market exclusivity” means any period of market exclusivity granted with respect to a prescription drug under clause (ii), (iii), or (iv) of section 505(c)(3)(E) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(c)(3)(E)), section 505(j)(5)(B)(iv) of such Act, clause (ii), (iii), or (iv) of section 505(j)(5)(F) of such Act, or paragraphs (6) or (7) of section 351(k) of the Public Health Service Act (42 U.S.C. 262(k)).

## SUBMITTED RESOLUTIONS

### SENATE RESOLUTION 47—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. CRAPO submitted the following resolution; from the Committee on Banking, Housing, and Urban Affairs; which was referred to the Committee on Rules and Administration:

S. RES. 47

*Resolved,*

#### SECTION 1. GENERAL AUTHORITY.

In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Banking, Housing, and Urban Affairs (in this resolution referred to as the “committee”) is authorized from March 1, 2019 through February 28, 2021, in its discretion, to—

(1) make expenditures from the contingent fund of the Senate;

(2) employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, use on a reimbursable or nonreimbursable basis the services of personnel of any such department or agency.

#### SEC. 2. EXPENSES.

(a) **EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2019.**—The expenses of the committee for the period March 1, 2019 through September 30, 2019 under this resolution shall not exceed \$3,243,919, of which amount—

(1) not to exceed \$11,666 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legis-

lative Reorganization Act of 1946 (2 U.S.C. 4301(i)); and

(2) not to exceed \$875 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

(b) **EXPENSES FOR FISCAL YEAR 2020 PERIOD.**—The expenses of the committee for the period October 1, 2019 through September 30, 2020 under this resolution shall not exceed \$5,561,004, of which amount—

(1) not to exceed \$20,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i)); and

(2) not to exceed \$1,500 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

(c) **EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2021.**—The expenses of the committee for the period October 1, 2020 through February 28, 2021 under this resolution shall not exceed \$2,317,085, of which amount—

(1) not to exceed \$8,334 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i)); and

(2) not to exceed \$625 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

#### SEC. 3. EXPENSES AND AGENCY CONTRIBUTIONS.

(a) **EXPENSES OF THE COMMITTEE.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

(2) **VOUCHERS NOT REQUIRED.**—Vouchers shall not be required for—

(A) the disbursement of salaries of employees paid at an annual rate;

(B) the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper;

(C) the payment of stationery supplies purchased through the Keeper of the Stationery;

(D) payments to the Postmaster of the Senate;

(E) the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper;

(F) the payment of Senate Recording and Photographic Services; or

(G) the payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper.

(b) **AGENCY CONTRIBUTIONS.**—There are authorized to be paid from the appropriations account for “Expenses of Inquiries and Investigations” of the Senate such sums as may be necessary for agency contributions related to the compensation of employees of the committee—

(1) for the period March 1, 2019 through September 30, 2019;

(2) for the period October 1, 2019 through September 30, 2020; and

(3) for the period October 1, 2020 through February 28, 2021.

### SENATE RESOLUTION 48—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. WICKER submitted the following resolution; from the Committee on Commerce, Science, and Transportation; which was referred to the Committee on Rules and Administration:

S. RES. 48

*Resolved,* That, in carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under Rule XXV of the Standing Rules of the Senate, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Commerce, Science, and Transportation is authorized from March 1, 2019, through February 28, 2021, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable or nonreimbursable basis the services of personnel of any such department or agency.

**SEC. 2. (a)** The expenses of the committee for the period from March 1, 2019, through September 30, 2019, under this resolution shall not exceed \$4,155,132, of which amount—

(1) not to exceed \$50,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i)); and

(2) not to exceed \$50,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(j))).

(b) For the period October 1, 2019, through September 30, 2020, expenses of the committee under this resolution shall not exceed \$7,104,057, of which amount—

(1) not to exceed \$50,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i)); and

(2) not to exceed \$50,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(j))).

(c) For the period October 1, 2020, through February 28, 2021, expenses of the committee under this resolution shall not exceed \$2,960,024, of which amount—

(1) not to exceed \$50,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i)); and

(2) not to exceed \$50,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(j))).

**SEC. 3.** Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee, except that vouchers shall not be required for—

(1) the disbursement of salaries of employees paid at an annual rate;

(2) the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper;

(3) the payment of stationery supplies purchased through the Keeper of the Stationery;

(4) payments to the Postmaster of the Senate;

(5) the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper;

(6) the payment of Senate Recording and Photographic Services; or

(7) the payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper.

SEC. 4. There are authorized to be paid from the appropriations account for “Expenses of Inquiries and Investigations” of the Senate such sums as may be necessary for agency contributions related to the compensation of employees of the committee for—

(1) the period from March 1, 2019, through September 30, 2019;

(2) the period from October 1, 2019, through September 30, 2020; and

(3) the period from October 1, 2020, through February 28, 2021.

#### SENATE RESOLUTION 49—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. JOHNSON submitted the following resolution; from the Committee on Homeland Security and Governmental Affairs; which was referred to the Committee on Rules and Administration:

S. RES. 49

*Resolved,*

##### SECTION 1. GENERAL AUTHORITY.

In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate and S. Res. 445, agreed to October 9, 2004 (108th Congress), including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Homeland Security and Governmental Affairs (in this resolution referred to as the “committee”) is authorized from March 1, 2019, through February 28, 2021, in its discretion, to—

(1) make expenditures from the contingent fund of the Senate;

(2) employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, use on a reimbursable or nonreimbursable basis the services of personnel of any such department or agency.

##### SEC. 2. EXPENSES.

(a) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2019.—The expenses of the committee for the period March 1, 2019, through September 30, 2019, under this resolution shall not exceed \$5,591,653, of which amount—

(1) not to exceed \$75,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed \$20,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

(b) EXPENSES FOR FISCAL YEAR 2020 PERIOD.—The expenses of the committee for the period October 1, 2019, through September 30, 2020, under this resolution shall not exceed \$9,585,691, of which amount—

(1) not to exceed \$75,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed \$20,000 may be expended for the training of the professional staff of

the committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2021.—The expenses of the committee for the period October 1, 2020, through February 28, 2021, under this resolution shall not exceed \$3,994,038, of which amount—

(1) not to exceed \$75,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed \$20,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

##### SEC. 3. REPORTING LEGISLATION.

The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 2021.

##### SEC. 4. EXPENSES AND AGENCY CONTRIBUTIONS.

(a) EXPENSES OF THE COMMITTEE.—

(1) IN GENERAL.—Except as provided in paragraph (2), expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

(2) VOUCHERS NOT REQUIRED.—Vouchers shall not be required for—

(A) the disbursement of salaries of employees paid at an annual rate;

(B) the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper;

(C) the payment of stationery supplies purchased through the Keeper of the Stationery;

(D) payments to the Postmaster of the Senate;

(E) the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper;

(F) the payment of Senate Recording and Photographic Services; or

(G) the payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper.

(b) AGENCY CONTRIBUTIONS.—There are authorized to be paid from the appropriations account for “Expenses of Inquiries and Investigations” of the Senate such sums as may be necessary for agency contributions related to the compensation of employees of the committee—

(1) for the period March 1, 2019, through September 30, 2019;

(2) for the period October 1, 2019, through September 30, 2020; and

(3) for the period October 1, 2020, through February 28, 2021.

##### SEC. 5. INVESTIGATIONS.

(a) IN GENERAL.—The committee, or any duly authorized subcommittee of the committee, is authorized to study or investigate—

(1) the efficiency and economy of operations of all branches of the Government including the possible existence of fraud, misfeasance, malfeasance, collusion, mismanagement, incompetence, corruption, or unethical practices, waste, extravagance, conflicts of interest, and the improper expenditure of Government funds in transactions, contracts, and activities of the Government or of Government officials and employees and any and all such improper practices between Government personnel and corporations, individuals, companies, or persons affiliated therewith, doing business with the Government, and the compliance or noncompliance of such corporations, companies, or individuals or other entities with the rules, regulations, and laws governing the various governmental agencies and its relationships with the public;

(2) the extent to which criminal or other improper practices or activities are, or have been, engaged in the field of labor-management relations or in groups or organizations of employees or employers, to the detriment of interests of the public, employers, or employees, and to determine whether any changes are required in the laws of the United States in order to protect such interests against the occurrence of such practices or activities;

(3) organized criminal activity which may operate in or otherwise utilize the facilities of interstate or international commerce in furtherance of any transactions and the manner and extent to which, and the identity of the persons, firms, or corporations, or other entities by whom such utilization is being made, and further, to study and investigate the manner in which and the extent to which persons engaged in organized criminal activity have infiltrated lawful business enterprise, and to study the adequacy of Federal laws to prevent the operations of organized crime in interstate or international commerce, and to determine whether any changes are required in the laws of the United States in order to protect the public against such practices or activities;

(4) all other aspects of crime and lawlessness within the United States which have an impact upon or affect the national health, welfare, and safety, including but not limited to investment fraud schemes, commodity and security fraud, computer fraud, and the use of offshore banking and corporate facilities to carry out criminal objectives;

(5) the efficiency and economy of operations of all branches and functions of the Government with particular reference to—

(A) the effectiveness of present national security methods, staffing, and processes as tested against the requirements imposed by the rapidly mounting complexity of national security problems;

(B) the capacity of present national security staffing, methods, and processes to make full use of the Nation's resources of knowledge and talents;

(C) the adequacy of present intergovernmental relations between the United States and international organizations principally concerned with national security of which the United States is a member; and

(D) legislative and other proposals to improve these methods, processes, and relationships;

(6) the efficiency, economy, and effectiveness of all agencies and departments of the Government involved in the control and management of energy shortages including, but not limited to, their performance with respect to—

(A) the collection and dissemination of accurate statistics on fuel demand and supply;

(B) the implementation of effective energy conservation measures;

(C) the pricing of energy in all forms;

(D) coordination of energy programs with State and local government;

(E) control of exports of scarce fuels;

(F) the management of tax, import, pricing, and other policies affecting energy supplies;

(G) maintenance of the independent sector of the petroleum industry as a strong competitive force;

(H) the allocation of fuels in short supply by public and private entities;

(I) the management of energy supplies owned or controlled by the Government;

(J) relations with other oil producing and consuming countries;

(K) the monitoring of compliance by governments, corporations, or individuals with

the laws and regulations governing the allocation, conservation, or pricing of energy supplies; and

(L) research into the discovery and development of alternative energy supplies; and

(7) the efficiency and economy of all branches and functions of Government with particular references to the operations and management of Federal regulatory policies and programs.

(b) **EXTENT OF INQUIRIES.**—In carrying out the duties provided in subsection (a), the inquiries of this committee or any subcommittee of the committee shall not be construed to be limited to the records, functions, and operations of any particular branch of the Government and may extend to the records and activities of any persons, corporation, or other entity.

(c) **SPECIAL COMMITTEE AUTHORITY.**—For the purposes of this section, the committee, or any duly authorized subcommittee of the committee, or its chairman, or any other member of the committee or subcommittee designated by the chairman is authorized, in its, his, her, or their discretion—

(1) to require by subpoena or otherwise the attendance of witnesses and production of correspondence, books, papers, and documents;

(2) to hold hearings;

(3) to sit and act at any time or place during the sessions, recess, and adjournment periods of the Senate;

(4) to administer oaths; and

(5) to take testimony, either orally or by sworn statement, or, in the case of staff members of the Committee and the Permanent Subcommittee on Investigations, by deposition in accordance with the Committee Rules of Procedure.

(d) **AUTHORITY OF OTHER COMMITTEES.**—Nothing contained in this section shall affect or impair the exercise of any other standing committee of the Senate of any power, or the discharge by such committee of any duty, conferred or imposed upon it by the Standing Rules of the Senate or by the Legislative Reorganization Act of 1946.

(e) **SUBPOENA AUTHORITY.**—All subpoenas and related legal processes of the committee and any duly authorized subcommittee of the committee authorized under S. Res. 62, agreed to February 28, 2017 (115th Congress), are authorized to continue.

#### SENATE RESOLUTION 50—IMPROVING PROCEDURES FOR THE CONSIDERATION OF NOMINATIONS IN THE SENATE

Mr. LANKFORD (for himself and Mr. BLUNT) submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 50

*Resolved,*

##### SECTION 1. CONSIDERATION OF NOMINATIONS.

(a) **LIMIT ON CONSIDERATION FOR CERTAIN NOMINATIONS.**—

(1) **IN GENERAL.**—If cloture is invoked on a nomination described in paragraph (2), there shall be no more than 2 hours of post-cloture consideration equally divided between the Majority Leader and the Minority Leader, or their designees.

(2) **NOMINATIONS COVERED.**—A nomination described in this paragraph is a nomination of an individual to a position—

(A) as a judge of a district court of the United States or of the United States Court of Federal Claims; or

(B) in the executive branch that is not—

(1) a position at level I of the Executive Schedule under section 5312 of title 5, United States Code; or

(ii) a position as a member of—

(I) the Equal Employment Opportunity Commission;

(II) the Securities and Exchange Commission;

(III) the Federal Election Commission;

(IV) the Federal Energy Regulatory Commission;

(V) the Federal Trade Commission;

(VI) the National Labor Relations Board;

(VII) the Commodity Futures Trading Commission;

(VIII) the Consumer Product Safety Commission;

(IX) the Federal Communications Commission;

(X) the Surface Transportation Board;

(XI) the Nuclear Regulatory Commission;

(XII) the Federal Deposit Insurance Corporation; or

(XIII) the Board of Governors of the Federal Reserve System.

(b) **DIVISION OF TIME ON OTHER NOMINATIONS.**—If cloture is invoked on a nomination that is not described in subsection (a)(2), the period of post-cloture consideration shall be equally divided between the Majority Leader and the Minority Leader, or their designees.

#### SENATE RESOLUTION 51—AUTHORIZING EXPENDITURES BY THE SELECT COMMITTEE ON INTELLIGENCE

Mr. BURR submitted the following resolution; from the Select Committee on Intelligence; which was referred to the Committee on Rules and Administration:

S. RES. 51

*Resolved,*

##### SECTION 1. GENERAL AUTHORITY.

In carrying out its powers, duties, and functions under S. Res. 400, agreed to May 19, 1976 (94th Congress), as amended by S. Res. 445, agreed to October 9, 2004 (108th Congress), in accordance with its jurisdiction under sections 3(a) and 17 of such S. Res. 400, including holding hearings, reporting such hearings, and making investigations as authorized by section 5 of such S. Res. 400, the Select Committee on Intelligence (in this resolution referred to as the “committee”) is authorized from March 1, 2019, through February 28, 2021, in its discretion, to—

(1) make expenditures from the contingent fund of the Senate;

(2) employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, use on a reimbursable or nonreimbursable basis the services of personnel of any such department or agency.

##### SEC. 2. EXPENSES.

(a) **EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2019.**—The expenses of the committee for the period March 1, 2019, through September 30, 2019, under this resolution shall not exceed \$3,707,448, of which amount not to exceed \$10,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))).

(b) **EXPENSES FOR FISCAL YEAR 2020 PERIOD.**—The expenses of the committee for the period October 1, 2019, through September 30, 2020, under this section shall not exceed \$6,355,625, of which amount not to exceed \$17,144 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))).

(c) **EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2021.**—The expenses of the committee for the period October 1, 2020, through February 28, 2021, under this resolution shall not exceed \$2,648,177, of which amount not to exceed \$7,143 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))).

##### SEC. 3. EXPENSES AND AGENCY CONTRIBUTIONS.

(a) **EXPENSES OF THE COMMITTEE.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

(2) **VOUCHERS NOT REQUIRED.**—Vouchers shall not be required for—

(A) the disbursement of salaries of employees paid at an annual rate;

(B) the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper;

(C) the payment of stationery supplies purchased through the Keeper of the Stationery;

(D) payments to the Postmaster of the Senate;

(E) the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper;

(F) the payment of Senate Recording and Photographic Services; or

(G) the payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper.

(b) **AGENCY CONTRIBUTIONS.**—There are authorized to be paid from the appropriations account for “Expenses of Inquiries and Investigations” of the Senate such sums as may be necessary for agency contributions related to the compensation of employees of the committee—

(1) for the period March 1, 2019, through September 30, 2019;

(2) for the period October 1, 2019, through September 30, 2020; and

(3) for the period October 1, 2020, through February 28, 2021.

#### SENATE RESOLUTION 52—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON INDIAN AFFAIRS

Mr. HOEVEN submitted the following resolution; from the Committee on Indian Affairs; which was referred to the Committee on Rules and Administration:

S. RES. 52

*Resolved,*

##### SECTION 1. GENERAL AUTHORITY.

In carrying out its powers, duties, and functions imposed by section 105 of S. Res. 104, agreed to February 4, 1977 (95th Congress), and in exercising the authority conferred on it by that section, the Committee on Indian Affairs (in this resolution referred to as the “committee”) is authorized from March 1, 2019 through February 28, 2021, in its discretion, to—

(1) make expenditures from the contingent fund of the Senate;

(2) employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, use on a reimbursable or nonreimbursable basis the services of personnel of any such department or agency.

##### SEC. 2. EXPENSES.

(a) **EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2019.**—The expenses of the committee for the period March 1, 2019 through September 30, 2019 under this resolution

shall not exceed \$1,231,690, of which amount—

(1) not to exceed \$20,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed \$20,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

(b) EXPENSES FOR FISCAL YEAR 2020 PERIOD.—The expenses of the committee for the period October 1, 2019 through September 30, 2020 under this resolution shall not exceed \$2,111,468, of which amount—

(1) not to exceed \$20,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed \$20,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2021.—The expenses of the committee for the period October 1, 2020 through February 28, 2021 under this resolution shall not exceed \$879,778, of which amount—

(1) not to exceed \$20,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed \$20,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

### SEC. 3. EXPENSES AND AGENCY CONTRIBUTIONS.

#### (a) EXPENSES OF THE COMMITTEE.—

(1) IN GENERAL.—Except as provided in paragraph (2), expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

(2) VOUCHERS NOT REQUIRED.—Vouchers shall not be required for—

(A) the disbursement of salaries of employees paid at an annual rate;

(B) the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper;

(C) the payment of stationery supplies purchased through the Keeper of the Stationery;

(D) payments to the Postmaster of the Senate;

(E) the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper;

(F) the payment of Senate Recording and Photographic Services; or

(G) the payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper.

(b) AGENCY CONTRIBUTIONS.—There are authorized to be paid from the appropriations account for “Expenses of Inquiries and Investigations” of the Senate such sums as may be necessary for agency contributions related to the compensation of employees of the committee—

(1) for the period March 1, 2019 through September 30, 2019;

(2) for the period October 1, 2019 through September 30, 2020; and

(3) for the period October 1, 2020 through February 28, 2021.

### SENATE RESOLUTION 53—RECOGNIZING THE STAFF OF THE OFFICE OF LEGISLATIVE COUNSEL OF THE SENATE ON THE OCCASION OF THE 100TH ANNIVERSARY OF THE OFFICE

Mr. GRASSLEY submitted the following resolution; which was considered and agreed to:

#### S. RES. 53

Whereas the Office of the Legislative Counsel of the Senate (referred to in this preamble as the “Office”) was established 100 years ago on February 24, 1919, with the enactment of the Act entitled “An Act to provide revenue, and for other purposes”, approved February 24, 1919 (commonly known as the “Revenue Act of 1918”) (Public Law 254; 65th Congress; 40 Stat. 1057);

Whereas the enacting legislation established that the purpose of the Office is to “aid in drafting public bills and resolutions or amendments thereto” at the request of any Senator, committee, or office of the Senate and that the staff of the Office is appointed “without reference to political affiliations and solely on the ground of fitness to perform the duties of the office”;

Whereas during the past 100 years, 136 attorneys, 91 staff members, and 47 interns (referred to in this preamble as the “staff of the Office”) have served in the Office and have ably and faithfully upheld the high standards and traditions of the Office by demonstrating great dedication, professionalism, and integrity in discharging their duties and responsibilities;

Whereas the volume of work of the Office has grown dramatically over time, with the number of requests for legislation received by the Office during a Congress growing from fewer than 1,000 requests in the earliest years of the Office to significantly more than 50,000 requests in each Congress convening since 2005, including more than 72,000 requests in the 115th Congress;

Whereas, in addition to the increase in the number of drafts produced by the Office each year, the drafting of new legislation has become increasingly more difficult and time-consuming because of the addition of a number of new subjects of Federal legislation and the increasing technical complexity of Federal statutory law;

Whereas legislative drafting requires a careful analysis of the legal issues involved, the recognition of constitutional limitations, and an understanding of earlier enactments of related laws in order to produce, to the maximum extent practicable, a consistent body of law that will effectuate congressional intent without producing unintended consequences;

Whereas, throughout the history of the Office, the Office has enjoyed outstanding support from the Vice Presidents and the Presidents pro tempore and their staffs who were responsible for the oversight of the Office; and

Whereas the staff of the Office currently serving in the Office continues to carry out the mission of the Office by providing the Senate and the committees and officers of the Senate quality drafting services and sound legal advice throughout the legislative process with the spirit of quiet professionalism that has been the tradition of the Office since the inception of the Office: Now, therefore, be it

*Resolved*, That the Senate expresses sincere appreciation and gratitude to—

(1) the Office of the Legislative Counsel of the Senate for 100 years of professionalism and dedication in providing assistance with the drafting of legislation considered by the Senate; and

(2) commends the attorneys, staff members, and interns who have served or are currently serving in the Office of the Legislative Counsel of the Senate for their faithful and exemplary public service and professional assistance to the Senate and the United States.

### AMENDMENTS SUBMITTED AND PROPOSED

SA 110. Mrs. HYDE-SMITH submitted an amendment intended to be proposed by her to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table.

SA 111. Ms. MURKOWSKI (for herself and Mr. MANCHIN) submitted an amendment intended to be proposed by her to the bill S. 47, supra; which was ordered to lie on the table.

SA 112. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 111 submitted by Ms. MURKOWSKI (for herself and Mr. MANCHIN) and intended to be proposed to the bill S. 47, supra; which was ordered to lie on the table.

SA 113. Mr. BENNET submitted an amendment intended to be proposed by him to the bill S. 47, supra; which was ordered to lie on the table.

SA 114. Ms. CORTEZ MASTO submitted an amendment intended to be proposed by her to the bill S. 47, supra; which was ordered to lie on the table.

SA 115. Ms. CORTEZ MASTO submitted an amendment intended to be proposed by her to the bill S. 47, supra; which was ordered to lie on the table.

SA 116. Ms. CORTEZ MASTO submitted an amendment intended to be proposed by her to the bill S. 47, supra; which was ordered to lie on the table.

SA 117. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 47, supra; which was ordered to lie on the table.

SA 118. Mrs. SHAHEEN (for herself and Ms. COLLINS) submitted an amendment intended to be proposed by her to the bill S. 47, supra; which was ordered to lie on the table.

SA 119. Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill S. 47, supra; which was ordered to lie on the table.

SA 120. Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill S. 47, supra; which was ordered to lie on the table.

SA 121. Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill S. 47, supra; which was ordered to lie on the table.

SA 122. Mr. DAINES (for himself and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 111 submitted by Ms. MURKOWSKI (for herself and Mr. MANCHIN) and intended to be proposed to the bill S. 47, supra; which was ordered to lie on the table.

SA 123. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 111 submitted by Ms. MURKOWSKI (for herself and Mr. MANCHIN) and intended to be proposed to the bill S. 47, supra; which was ordered to lie on the table.

SA 124. Mr. LANKFORD (for himself, Mr. LEE, Mr. INHOFE, Mr. CRUZ, Mr. RUBIO, Mrs. FISCHER, and Mr. BRAUN) submitted an amendment intended to be proposed to amendment SA 111 submitted by Ms. MURKOWSKI (for herself and Mr. MANCHIN) and intended to be proposed to the bill S. 47, supra; which was ordered to lie on the table.

SA 125. Mr. LANKFORD (for himself, Mr. LEE, Mr. INHOFE, Mr. RUBIO, and Mr. BRAUN) submitted an amendment intended to be proposed to amendment SA 111 submitted by

Ms. MURKOWSKI (for herself and Mr. MANCHIN) and intended to be proposed to the bill S. 47, supra; which was ordered to lie on the table.

SA 126. Mr. LANKFORD (for himself, Mr. LEE, Mr. INHOFE, Mr. RUBIO, and Mr. BRAUN) submitted an amendment intended to be proposed to amendment SA 111 submitted by Ms. MURKOWSKI (for herself and Mr. MANCHIN) and intended to be proposed to the bill S. 47, supra; which was ordered to lie on the table.

SA 127. Mr. LANKFORD (for himself, Mr. INHOFE, and Mr. BRAUN) submitted an amendment intended to be proposed to amendment SA 111 submitted by Ms. MURKOWSKI (for herself and Mr. MANCHIN) and intended to be proposed to the bill S. 47, supra; which was ordered to lie on the table.

SA 128. Mr. ISAKSON (for himself, Mr. KAINE, and Mr. BLUNT) submitted an amendment intended to be proposed to amendment SA 111 submitted by Ms. MURKOWSKI (for herself and Mr. MANCHIN) and intended to be proposed to the bill S. 47, supra; which was ordered to lie on the table.

SA 129. Mr. BURR (for himself and Mr. TILLIS) submitted an amendment intended to be proposed by him to the bill S. 47, supra; which was ordered to lie on the table.

SA 130. Mr. BURR (for himself and Mr. TILLIS) submitted an amendment intended to be proposed by him to the bill S. 47, supra; which was ordered to lie on the table.

SA 131. Mr. MARKEY (for himself and Ms. WARREN) submitted an amendment intended to be proposed by him to the bill S. 47, supra; which was ordered to lie on the table.

SA 132. Mr. GARDNER submitted an amendment intended to be proposed to amendment SA 111 submitted by Ms. MURKOWSKI (for herself and Mr. MANCHIN) and intended to be proposed to the bill S. 47, supra; which was ordered to lie on the table.

SA 133. Mr. GARDNER submitted an amendment intended to be proposed to amendment SA 111 submitted by Ms. MURKOWSKI (for herself and Mr. MANCHIN) and intended to be proposed to the bill S. 47, supra; which was ordered to lie on the table.

SA 134. Mr. PORTMAN (for himself, Mr. WARNER, Mr. ALEXANDER, Mr. KING, Mr. TILLIS, Ms. COLLINS, Mr. DAINES, Mr. CRAMER, and Mr. GARDNER) submitted an amendment intended to be proposed to amendment SA 111 submitted by Ms. MURKOWSKI (for herself and Mr. MANCHIN) and intended to be proposed to the bill S. 47, supra; which was ordered to lie on the table.

SA 135. Ms. McSALLY (for herself and Ms. SINEMA) submitted an amendment intended to be proposed to amendment SA 111 submitted by Ms. MURKOWSKI (for herself and Mr. MANCHIN) and intended to be proposed to the bill S. 47, supra; which was ordered to lie on the table.

SA 136. Mr. JOHNSON (for himself, Ms. BALDWIN, Mr. BARRASSO, and Mr. ENZI) submitted an amendment intended to be proposed to amendment SA 111 submitted by Ms. MURKOWSKI (for herself and Mr. MANCHIN) and intended to be proposed to the bill S. 47, supra; which was ordered to lie on the table.

SA 137. Mr. BARRASSO submitted an amendment intended to be proposed to amendment SA 111 submitted by Ms. MURKOWSKI (for herself and Mr. MANCHIN) and intended to be proposed to the bill S. 47, supra; which was ordered to lie on the table.

SA 138. Mr. BARRASSO submitted an amendment intended to be proposed to amendment SA 111 submitted by Ms. MURKOWSKI (for herself and Mr. MANCHIN) and intended to be proposed to the bill S. 47, supra; which was ordered to lie on the table.

SA 139. Mr. CASSIDY (for himself, Mr. JONES, Mr. KENNEDY, and Mr. WICKER) sub-

mitted an amendment intended to be proposed by him to the bill S. 47, supra; which was ordered to lie on the table.

SA 140. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 47, supra; which was ordered to lie on the table.

SA 141. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 47, supra; which was ordered to lie on the table.

SA 142. Mr. UDALL (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed to amendment SA 111 submitted by Ms. MURKOWSKI (for herself and Mr. MANCHIN) and intended to be proposed to the bill S. 47, supra; which was ordered to lie on the table.

SA 143. Mr. TILLIS (for himself and Mr. BURR) submitted an amendment intended to be proposed to amendment SA 111 submitted by Ms. MURKOWSKI (for herself and Mr. MANCHIN) and intended to be proposed to the bill S. 47, supra; which was ordered to lie on the table.

SA 144. Mr. BLUNT submitted an amendment intended to be proposed to amendment SA 111 submitted by Ms. MURKOWSKI (for herself and Mr. MANCHIN) and intended to be proposed to the bill S. 47, supra; which was ordered to lie on the table.

SA 145. Mr. KENNEDY (for himself, Mr. CASSIDY, and Mr. HEINRICH) submitted an amendment intended to be proposed to amendment SA 111 submitted by Ms. MURKOWSKI (for herself and Mr. MANCHIN) and intended to be proposed to the bill S. 47, supra; which was ordered to lie on the table.

SA 146. Mr. KENNEDY submitted an amendment intended to be proposed to amendment SA 111 submitted by Ms. MURKOWSKI (for herself and Mr. MANCHIN) and intended to be proposed to the bill S. 47, supra; which was ordered to lie on the table.

SA 147. Mr. KENNEDY submitted an amendment intended to be proposed to amendment SA 111 submitted by Ms. MURKOWSKI (for herself and Mr. MANCHIN) and intended to be proposed to the bill S. 47, supra; which was ordered to lie on the table.

SA 148. Mr. KENNEDY submitted an amendment intended to be proposed to amendment SA 111 submitted by Ms. MURKOWSKI (for herself and Mr. MANCHIN) and intended to be proposed to the bill S. 47, supra; which was ordered to lie on the table.

SA 149. Mr. BRAUN (for himself and Mr. TOOMEY) submitted an amendment intended to be proposed to amendment SA 111 submitted by Ms. MURKOWSKI (for herself and Mr. MANCHIN) and intended to be proposed to the bill S. 47, supra; which was ordered to lie on the table.

SA 150. Mr. LEE submitted an amendment intended to be proposed to amendment SA 111 submitted by Ms. MURKOWSKI (for herself and Mr. MANCHIN) and intended to be proposed to the bill S. 47, supra; which was ordered to lie on the table.

SA 151. Mr. LEE submitted an amendment intended to be proposed to amendment SA 111 submitted by Ms. MURKOWSKI (for herself and Mr. MANCHIN) and intended to be proposed to the bill S. 47, supra; which was ordered to lie on the table.

SA 152. Mr. LEE submitted an amendment intended to be proposed to amendment SA 111 submitted by Ms. MURKOWSKI (for herself and Mr. MANCHIN) and intended to be proposed to the bill S. 47, supra; which was ordered to lie on the table.

SA 153. Mr. LEE (for himself and Mr. ROMNEY) submitted an amendment intended to be proposed to amendment SA 111 submitted by Ms. MURKOWSKI (for herself and Mr. MANCHIN) and intended to be proposed to the bill S. 47, supra; which was ordered to lie on the table.

SA 154. Mr. LEE (for himself, Mr. LANKFORD, Mr. TOOMEY, and Mr. ROMNEY) submitted an amendment intended to be proposed to amendment SA 111 submitted by Ms. MURKOWSKI (for herself and Mr. MANCHIN) and intended to be proposed to the bill S. 47, supra; which was ordered to lie on the table.

SA 155. Mr. LEE submitted an amendment intended to be proposed to amendment SA 111 submitted by Ms. MURKOWSKI (for herself and Mr. MANCHIN) and intended to be proposed to the bill S. 47, supra; which was ordered to lie on the table.

SA 156. Mr. LEE (for himself and Mr. LANKFORD) submitted an amendment intended to be proposed to amendment SA 111 submitted by Ms. MURKOWSKI (for herself and Mr. MANCHIN) and intended to be proposed to the bill S. 47, supra; which was ordered to lie on the table.

SA 157. Mr. SCHATZ (for himself and Mr. CASSIDY) submitted an amendment intended to be proposed by him to the bill S. 47, supra; which was ordered to lie on the table.

## TEXT OF AMENDMENTS

**SA 110.** Mrs. HYDE-SMITH submitted an amendment intended to be proposed by her to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title I, add the following:

### SEC. 11. REDESIGNATION OF THE DELTA NATIONAL FOREST.

(a) IN GENERAL.—The Delta National Forest in the State of Mississippi is redesignated as the “Thad Cochran Delta National Forest”.

(b) BOUNDARY REVISION.—Nothing in this section shall prohibit the Secretary of Agriculture (referred to in this section as the “Secretary”) from adjusting the boundaries of the Thad Cochran Delta National Forest, as determined appropriate by the Secretary, in accordance with the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600 et seq.).

(c) REFERENCES.—Any reference in a law, regulation, document, record, map, or other paper of the United States to the Delta National Forest shall be considered to be a reference to the “Thad Cochran Delta National Forest”.

**SA 111.** Ms. MURKOWSKI (for herself and Mr. MANCHIN) submitted an amendment intended to be proposed by her to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Natural Resources Management Act”.

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

Sec. 1. Short title; table of contents.

Sec. 2. Definition of Secretary.

### TITLE I—PUBLIC LAND AND FORESTS

#### Subtitle A—Land Exchanges and Conveyances

Sec. 1001. Craggs land exchange, Colorado.

Sec. 1002. Arapaho National Forest boundary adjustment.

Sec. 1003. Santa Ana River Wash Plan land exchange.

Sec. 1004. Udall Park land exchange.  
 Sec. 1005. Confirmation of State land grants.  
 Sec. 1006. Custer County Airport conveyance.  
 Sec. 1007. Pascua Yaqui Tribe land conveyance.  
 Sec. 1008. La Paz County land conveyance.  
 Sec. 1009. Lake Bistineau land title stability.  
 Sec. 1010. Lake Fannin land conveyance.  
 Sec. 1011. Land conveyance and utility right-of-way, Henry's Lake Wilderness Study Area, Idaho.  
 Sec. 1012. Conveyance to Ukpeagvik Inupiat Corporation.  
 Sec. 1013. Public purpose conveyance to City of Hyde Park, Utah.  
 Sec. 1014. Juab County conveyance.  
 Sec. 1015. Black Mountain Range and Bullhead City land exchange.  
 Sec. 1016. Cottonwood land exchange.  
 Sec. 1017. Embry-Riddle Tri-City land exchange.

#### Subtitle B—Public Land and National Forest System Management

Sec. 1101. Bolts Ditch access.  
 Sec. 1102. Clarification relating to a certain land description under the Northern Arizona Land Exchange and Verde River Basin Partnership Act of 2005.  
 Sec. 1103. Frank and Jeanne Moore Wild Steelhead Special Management Area.  
 Sec. 1104. Maintenance or replacement of facilities and structures at Smith Gulch.  
 Sec. 1105. Repeal of provision limiting the export of timber harvested from certain Kake Tribal Corporation land.  
 Sec. 1106. Designation of Fowler and Boskoff Peaks.  
 Sec. 1107. Coronado National Forest land conveyance.  
 Sec. 1108. Deschutes Canyon-Steelhead Falls Wilderness Study Area boundary adjustment, Oregon.  
 Sec. 1109. Maintenance of Federal mineral leases based on extraction of helium.  
 Sec. 1110. Small miner waivers to claim maintenance fees.  
 Sec. 1111. Saint Francis Dam Disaster National Memorial and National Monument.  
 Sec. 1112. Owyhee Wilderness Areas boundary modifications.  
 Sec. 1113. Chugach Region land study.  
 Sec. 1114. Wildfire technology modernization.  
 Sec. 1115. McCoy Flats Trail System.  
 Sec. 1116. Technical corrections to certain laws relating to Federal land in the State of Nevada.  
 Sec. 1117. Ashley Karst National Recreation and Geologic Area.  
 Sec. 1118. John Wesley Powell National Conservation Area.  
 Sec. 1119. Alaska Native Vietnam era veterans land allotment.  
 Sec. 1120. Red River gradient boundary survey.  
 Sec. 1121. San Juan County settlement implementation.  
 Sec. 1122. Rio Puerco Watershed management program.  
 Sec. 1123. Ashley Springs land conveyance.

#### Subtitle C—Wilderness Designations and Withdrawals

##### PART I—GENERAL PROVISIONS

Sec. 1201. Organ Mountains-Desert Peaks conservation.  
 Sec. 1202. Cerro del Yuta and Río San Antonio Wilderness Areas.  
 Sec. 1203. Methow Valley, Washington, Federal land withdrawal.

Sec. 1204. Emigrant Crevice withdrawal.  
 Sec. 1205. Oregon Wildlands.

##### PART II—EMERY COUNTY PUBLIC LAND MANAGEMENT

Sec. 1211. Definitions.  
 Sec. 1212. Administration.  
 Sec. 1213. Effect on water rights.  
 Sec. 1214. Savings clause.

##### SUBPART A—SAN RAFAEL SWELL RECREATION AREA

Sec. 1221. Establishment of Recreation Area.  
 Sec. 1222. Management of Recreation Area.  
 Sec. 1223. San Rafael Swell Recreation Area Advisory Council.

##### SUBPART B—WILDERNESS AREAS

Sec. 1231. Additions to the National Wilderness Preservation System.  
 Sec. 1232. Administration.  
 Sec. 1233. Fish and wildlife management.  
 Sec. 1234. Release.

##### SUBPART C—WILD AND SCENIC RIVER DESIGNATION

Sec. 1241. Green River wild and scenic river designation.

##### SUBPART D—LAND MANAGEMENT AND CONVEYANCES

Sec. 1251. Goblin Valley State Park.  
 Sec. 1252. Jurassic National Monument.  
 Sec. 1253. Public land disposal and acquisition.  
 Sec. 1254. Public purpose conveyances.  
 Sec. 1255. Exchange of BLM and School and Institutional Trust Lands Administration land.

##### Subtitle D—Wild and Scenic Rivers

Sec. 1301. Lower Farmington River and Salmon Brook wild and scenic river.  
 Sec. 1302. Wood-Pawcatuck watershed wild and scenic river segments.  
 Sec. 1303. Nashua wild and scenic rivers, Massachusetts and New Hampshire.

##### Subtitle E—California Desert Protection and Recreation

Sec. 1401. Definitions.  
 PART I—DESIGNATION OF WILDERNESS IN THE CALIFORNIA DESERT CONSERVATION AREA  
 Sec. 1411. California desert conservation and recreation.

##### PART II—DESIGNATION OF SPECIAL MANAGEMENT AREA

Sec. 1421. Vinagre Wash Special Management Area.

##### PART III—NATIONAL PARK SYSTEM ADDITIONS

Sec. 1431. Death Valley National Park boundary revision.  
 Sec. 1432. Mojave National Preserve.  
 Sec. 1433. Joshua Tree National Park.

##### PART IV—OFF-HIGHWAY VEHICLE RECREATION AREAS

Sec. 1441. Off-highway vehicle recreation areas.

##### PART V—MISCELLANEOUS

Sec. 1451. Transfer of land to Anza-Borrego Desert State Park.  
 Sec. 1452. Wildlife corridors.  
 Sec. 1453. Prohibited uses of acquired, donated, and conservation land.  
 Sec. 1454. Tribal uses and interests.  
 Sec. 1455. Release of Federal reversionary land interests.  
 Sec. 1456. California State school land.  
 Sec. 1457. Designation of wild and scenic rivers.  
 Sec. 1458. Conforming amendments.  
 Sec. 1459. Juniper Flats.  
 Sec. 1460. Conforming amendments to California Military Lands Withdrawal and Overflights Act of 1994.

Sec. 1461. Desert tortoise conservation center.

##### TITLE II—NATIONAL PARKS

##### Subtitle A—Special Resource Studies

Sec. 2001. Special resource study of James K. Polk presidential home.  
 Sec. 2002. Special resource study of Thurgood Marshall school.  
 Sec. 2003. Special resource study of President Street Station.  
 Sec. 2004. Amache special resource study.  
 Sec. 2005. Special resource study of George W. Bush Childhood Home.

##### Subtitle B—National Park System Boundary Adjustments and Related Matters

Sec. 2101. Shiloh National Military Park boundary adjustment.  
 Sec. 2102. Ocmulgee Mounds National Historical Park boundary.  
 Sec. 2103. Kennesaw Mountain National Battlefield Park boundary.  
 Sec. 2104. Fort Frederica National Monument, Georgia.  
 Sec. 2105. Fort Scott National Historic Site boundary.  
 Sec. 2106. Florissant Fossil Beds National Monument boundary.  
 Sec. 2107. Voyageurs National Park boundary adjustment.  
 Sec. 2108. Acadia National Park boundary.  
 Sec. 2109. Authority of Secretary of the Interior to accept certain properties, Missouri.  
 Sec. 2110. Home of Franklin D. Roosevelt National Historic Site.

##### Subtitle C—National Park System Redesignations

Sec. 2201. Designation of Saint-Gaudens National Historical Park.  
 Sec. 2202. Redesignation of Robert Emmet Park.  
 Sec. 2203. Fort Sumter and Fort Moultrie National Historical Park.  
 Sec. 2204. Reconstruction Era National Historical Park and Reconstruction Era National Historic Network.  
 Sec. 2205. Golden Spike National Historical Park.  
 Sec. 2206. World War II Pacific sites.

##### Subtitle D—New Units of the National Park System

Sec. 2301. Medgar and Myrlie Evers Home National Monument.  
 Sec. 2302. Mill Springs Battlefield National Monument.  
 Sec. 2303. Camp Nelson Heritage National Monument.

##### Subtitle E—National Park System Management

Sec. 2401. Denali National Park and Preserve natural gas pipeline.  
 Sec. 2402. Historically Black Colleges and Universities Historic Preservation program reauthorized.  
 Sec. 2403. Authorizing cooperative management agreements between the District of Columbia and the Secretary of the Interior.  
 Sec. 2404. Fees for Medical Services.  
 Sec. 2405. Authority to grant easements and rights-of-way over Federal lands within Gateway National Recreation Area.  
 Sec. 2406. Adams Memorial Commission.  
 Sec. 2407. Technical corrections to references to the African American Civil Rights Network.  
 Sec. 2408. Transfer of the James J. Howard Marine Sciences Laboratory.  
 Sec. 2409. Bows in parks.  
 Sec. 2410. Wildlife management in parks.  
 Sec. 2411. Pottawattamie County reversionary interest.  
 Sec. 2412. Designation of Dean Stone Bridge.



Subtitle F—National Trails and Related Matters

- Sec. 2501. North Country Scenic Trail Route adjustment.  
 Sec. 2502. Extension of Lewis and Clark National Historic Trail.  
 Sec. 2503. American Discovery Trail signage.  
 Sec. 2504. Pike National Historic Trail study.

**TITLE III—CONSERVATION AUTHORIZATIONS**

- Sec. 3001. Reauthorization of Land and Water Conservation Fund.  
 Sec. 3002. Conservation incentives landowner education program.

**TITLE IV—SPORTSMEN'S ACCESS AND RELATED MATTERS**

Subtitle A—National Policy

- Sec. 4001. Congressional declaration of national policy.

Subtitle B—Sportsmen's Access to Federal Land

- Sec. 4101. Definitions.  
 Sec. 4102. Federal land open to hunting, fishing, and recreational shooting.  
 Sec. 4103. Closure of Federal land to hunting, fishing, and recreational shooting.  
 Sec. 4104. Shooting ranges.  
 Sec. 4105. Identifying opportunities for recreation, hunting, and fishing on Federal land.

Subtitle C—Open Book on Equal Access to Justice

- Sec. 4201. Federal action transparency.

Subtitle D—Migratory Bird Framework and Hunting Opportunities for Veterans

- Sec. 4301. Federal closing date for hunting of ducks, mergansers, and coots.

Subtitle E—Miscellaneous

- Sec. 4401. Respect for treaties and rights.  
 Sec. 4402. No priority.  
 Sec. 4403. State authority for fish and wildlife.

**TITLE V—HAZARDS AND MAPPING**

- Sec. 5001. National Volcano Early Warning and Monitoring System.  
 Sec. 5002. Reauthorization of National Geologic Mapping Act of 1992.

**TITLE VI—NATIONAL HERITAGE AREAS**

- Sec. 6001. National Heritage Area designations.  
 Sec. 6002. Adjustment of boundaries of Lincoln National Heritage Area.  
 Sec. 6003. Finger Lakes National Heritage Area study.  
 Sec. 6004. National Heritage Area amendments.

**TITLE VII—WILDLIFE HABITAT AND CONSERVATION**

- Sec. 7001. Wildlife habitat and conservation.  
 Sec. 7002. Reauthorization of Neotropical Migratory Bird Conservation Act.  
 Sec. 7003. John H. Chafee Coastal Barrier Resources System.

**TITLE VIII—WATER AND POWER**

Subtitle A—Reclamation Title Transfer

- Sec. 8001. Purpose.  
 Sec. 8002. Definitions.  
 Sec. 8003. Authorization of transfers of title to eligible facilities.  
 Sec. 8004. Eligibility criteria.  
 Sec. 8005. Liability.  
 Sec. 8006. Benefits.  
 Sec. 8007. Compliance with other laws.

Subtitle B—Endangered Fish Recovery Programs

- Sec. 8101. Extension of authorization for annual base funding of fish recovery programs; removal of certain reporting requirement.

- Sec. 8102. Report on recovery implementation programs.

Subtitle C—Yakima River Basin Water Enhancement Project

- Sec. 8201. Authorization of phase III.  
 Sec. 8202. Modification of purposes and definitions.  
 Sec. 8203. Yakima River Basin Water Conservation Program.  
 Sec. 8204. Yakima Basin water projects, operations, and authorizations.

Subtitle D—Bureau of Reclamation Facility Conveyances

- Sec. 8301. Conveyance of Maintenance Complex and District Office of the Arbuckle Project, Oklahoma.  
 Sec. 8302. Contra Costa Canal transfer.

Subtitle E—Project Authorizations

- Sec. 8401. Extension of Equus Beds Division of the Wichita Project.

Subtitle F—Modifications of Existing Programs

- Sec. 8501. Watersmart.

Subtitle G—Bureau of Reclamation Transparency

- Sec. 8601. Definitions.  
 Sec. 8602. Asset Management Report enhancements for reserved works.  
 Sec. 8603. Asset Management Report enhancements for transferred works.

**TITLE IX—MISCELLANEOUS**

- Sec. 9001. Every Kid Outdoors Act.  
 Sec. 9002. Good Samaritan Search and Recovery Act.  
 Sec. 9003. 21st Century Conservation Service Corps Act.  
 Sec. 9004. National Nordic Museum Act.  
 Sec. 9005. Designation of National George C. Marshall Museum and Library.  
 Sec. 9006. 21st Century Respect Act.  
 Sec. 9007. American World War II Heritage Cities.  
 Sec. 9008. Quindaro Townsite National Commemorative Site.  
 Sec. 9009. Designation of National Comedy Center in Jamestown, New York.

**SEC. 2. DEFINITION OF SECRETARY.**

In this Act, the term "Secretary" means the Secretary of the Interior.

**TITLE I—PUBLIC LAND AND FORESTS**

Subtitle A—Land Exchanges and Conveyances

**SEC. 1001. CRAGS LAND EXCHANGE, COLORADO.**

(a) **PURPOSES.**—The purposes of this section are—

- (1) to authorize, direct, expedite and facilitate the land exchange set forth herein; and
- (2) to promote enhanced public outdoor recreational and natural resource conservation opportunities in the Pike National Forest near Pikes Peak, Colorado, via acquisition of the non-Federal land and trail easement.

(b) **DEFINITIONS.**—In this section:

- (1) **BHI.**—The term "BHI" means Broadmoor Hotel, Inc., a Colorado corporation.
- (2) **FEDERAL LAND.**—The term "Federal land" means all right, title, and interest of the United States in and to approximately 83 acres of land within the Pike National Forest, El Paso County, Colorado, together with a nonexclusive perpetual access easement to BHI to and from such land on Forest Service Road 371, as generally depicted on the map entitled "Proposed Crags Land Exchange—Federal Parcel—Emerald Valley Ranch" and dated March 2015.
- (3) **NON-FEDERAL LAND.**—The term "non-Federal land" means the land and trail easement to be conveyed to the Secretary by BHI in the exchange and is—

(A) approximately 320 acres of land within the Pike National Forest, Teller County, Colorado, as generally depicted on the map entitled "Proposed Crags Land Exchange—Non-Federal Parcel—Crags Property" and dated March 2015; and

(B) a permanent trail easement for the Barr Trail in El Paso County, Colorado, as generally depicted on the map entitled "Proposed Crags Land Exchange—Barr Trail Easement to United States" and dated March 2015, and which shall be considered as a voluntary donation to the United States by BHI for all purposes of law.

(4) **SECRETARY.**—The term "Secretary" means the Secretary of Agriculture, unless otherwise specified.

(c) **LAND EXCHANGE.**—

(1) **IN GENERAL.**—If BHI offers to convey to the Secretary all right, title, and interest of BHI in and to the non-Federal land, the Secretary shall accept the offer and simultaneously convey to BHI the Federal land.

(2) **LAND TITLE.**—Title to the non-Federal land conveyed and donated to the Secretary under this section shall be acceptable to the Secretary and shall conform to the title approval standards of the Attorney General of the United States applicable to land acquisitions by the Federal Government.

(3) **PERPETUAL ACCESS EASEMENT TO BHI.**—The nonexclusive perpetual access easement to be granted to BHI as shown on the map referred to in subsection (b)(2) shall allow—

(A) BHI to fully maintain, at BHI's expense, and use Forest Service Road 371 from its junction with Forest Service Road 368 in accordance with historic use and maintenance patterns by BHI; and

(B) full and continued public and administrative access and use of Forest Service Road 371 in accordance with the existing Forest Service travel management plan, or as such plan may be revised by the Secretary.

(4) **ROUTE AND CONDITION OF ROAD.**—BHI and the Secretary may mutually agree to improve, relocate, reconstruct, or otherwise alter the route and condition of all or portions of such road as the Secretary, in close consultation with BHI, may determine advisable.

(5) **EXCHANGE COSTS.**—BHI shall pay for all land survey, appraisal, and other costs to the Secretary as may be necessary to process and consummate the exchange directed by this section, including reimbursement to the Secretary, if the Secretary so requests, for staff time spent in such processing and consummation.

(d) **EQUAL VALUE EXCHANGE AND APPRAISALS.**—

(1) **APPRAISALS.**—The values of the lands to be exchanged under this section shall be determined by the Secretary through appraisals performed—

(A) in accordance with—

- (i) the Uniform Appraisal Standards for Federal Land Acquisitions;
- (ii) the Uniform Standards of Professional Appraisal Practice; and
- (iii) appraisal instructions issued by the Secretary; and

(B) by an appraiser mutually agreed to by the Secretary and BHI.

(2) **EQUAL VALUE EXCHANGE.**—The values of the Federal land and non-Federal land parcels exchanged shall be equal, or if they are not equal, shall be equalized as follows:

(A) **SURPLUS OF FEDERAL LAND VALUE.**—If the final appraised value of the Federal land exceeds the final appraised value of the non-Federal land parcel identified in subsection (b)(3)(A), BHI shall make a cash equalization payment to the United States as necessary to achieve equal value, including, if necessary, an amount in excess of that authorized pursuant to section 206(b) of the Federal

Land Policy and Management Act of 1976 (43 U.S.C. 1716(b)).

(B) **USE OF FUNDS.**—Any cash equalization moneys received by the Secretary under subparagraph (A) shall be—

(i) deposited in the fund established under Public Law 90-171 (commonly known as the “Sisk Act”; 16 U.S.C. 484a); and

(ii) made available to the Secretary for the acquisition of land or interests in land in Region 2 of the Forest Service.

(C) **SURPLUS OF NON-FEDERAL LAND VALUE.**—If the final appraised value of the non-Federal land parcel identified in subsection (b)(3)(A) exceeds the final appraised value of the Federal land, the United States shall not make a cash equalization payment to BHI, and surplus value of the non-Federal land shall be considered a donation by BHI to the United States for all purposes of law.

(3) **APPRAISAL EXCLUSIONS.**—

(A) **SPECIAL USE PERMIT.**—The appraised value of the Federal land parcel shall not reflect any increase or diminution in value due to the special use permit existing on the date of enactment of this Act to BHI on the parcel and improvements thereunder.

(B) **BARR TRAIL EASEMENT.**—The Barr Trail easement donation identified in subsection (b)(3)(B) shall not be appraised for purposes of this section.

(e) **MISCELLANEOUS PROVISIONS.**—

(1) **WITHDRAWAL PROVISIONS.**—

(A) **WITHDRAWAL.**—Lands acquired by the Secretary under this section shall, without further action by the Secretary, be permanently withdrawn from all forms of appropriation and disposal under the public land laws (including the mining and mineral leasing laws) and the Geothermal Steam Act of 1930 (30 U.S.C. 1001 et seq.).

(B) **WITHDRAWAL REVOCATION.**—Any public land order that withdraws the Federal land from appropriation or disposal under a public land law shall be revoked to the extent necessary to permit disposal of the Federal land parcel to BHI.

(C) **WITHDRAWAL OF FEDERAL LAND.**—All Federal land authorized to be exchanged under this section, if not already withdrawn or segregated from appropriation or disposal under the public lands laws upon enactment of this Act, is hereby so withdrawn, subject to valid existing rights, until the date of conveyance of the Federal land to BHI.

(2) **POSTEXCHANGE LAND MANAGEMENT.**—Land acquired by the Secretary under this section shall become part of the Pike-San Isabel National Forest and be managed in accordance with the laws, rules, and regulations applicable to the National Forest System.

(3) **EXCHANGE TIMETABLE.**—It is the intent of Congress that the land exchange directed by this section be consummated no later than 1 year after the date of enactment of this Act.

(4) **MAPS, ESTIMATES, AND DESCRIPTIONS.**—

(A) **MINOR ERRORS.**—The Secretary and BHI may by mutual agreement make minor boundary adjustments to the Federal and non-Federal lands involved in the exchange, and may correct any minor errors in any map, acreage estimate, or description of any land to be exchanged.

(B) **CONFLICT.**—If there is a conflict between a map, an acreage estimate, or a description of land under this section, the map shall control unless the Secretary and BHI mutually agree otherwise.

(C) **AVAILABILITY.**—Upon enactment of this Act, the Secretary shall file and make available for public inspection in the headquarters of the Pike-San Isabel National Forest a copy of all maps referred to in this section.

## SEC. 1002. ARAPAHO NATIONAL FOREST BOUNDARY ADJUSTMENT.

(a) **IN GENERAL.**—The boundary of the Arapaho National Forest in the State of Colorado is adjusted to incorporate the approximately 92.95 acres of land generally depicted as “The Wedge” on the map entitled “Arapaho National Forest Boundary Adjustment” and dated November 6, 2013, and described as lots three, four, eight, and nine of section 13, Township 4 North, Range 76 West, Sixth Principal Meridian, Colorado. A lot described in this subsection may be included in the boundary adjustment only after the Secretary of Agriculture obtains written permission for such action from the lot owner or owners.

(b) **BOWEN GULCH PROTECTION AREA.**—The Secretary of Agriculture shall include all Federal land within the boundary described in subsection (a) in the Bowen Gulch Protection Area established under section 6 of the Colorado Wilderness Act of 1993 (16 U.S.C. 539j).

(c) **LAND AND WATER CONSERVATION FUND.**—For purposes of section 200306(a)(2)(B)(i) of title 54, United States Code, the boundaries of the Arapaho National Forest, as modified under subsection (a), shall be considered to be the boundaries of the Arapaho National Forest as in existence on January 1, 1965.

(d) **PUBLIC MOTORIZED USE.**—Nothing in this section opens privately owned lands within the boundary described in subsection (a) to public motorized use.

(e) **ACCESS TO NON-FEDERAL LANDS.**—Notwithstanding the provisions of section 6(f) of the Colorado Wilderness Act of 1993 (16 U.S.C. 539j(f)) regarding motorized travel, the owners of any non-Federal lands within the boundary described in subsection (a) who historically have accessed their lands through lands now or hereafter owned by the United States within the boundary described in subsection (a) shall have the continued right of motorized access to their lands across the existing roadway.

## SEC. 1003. SANTA ANA RIVER WASH PLAN LAND EXCHANGE.

(a) **DEFINITIONS.**—In this section:

(1) **CONSERVATION DISTRICT.**—The term “Conservation District” means the San Bernardino Valley Water Conservation District, a political subdivision of the State of California.

(2) **FEDERAL EXCHANGE PARCEL.**—The term “Federal exchange parcel” means the approximately 90 acres of Federal land administered by the Bureau of Land Management generally depicted as “BLM Equalization Land to SBVWCD” on the Map and is to be conveyed to the Conservation District if necessary to equalize the fair market values of the lands otherwise to be exchanged.

(3) **FEDERAL LAND.**—The term “Federal land” means the approximately 327 acres of Federal land administered by the Bureau of Land Management generally depicted as “BLM Land to SBVWCD” on the Map.

(4) **MAP.**—The term “Map” means the map entitled “Santa Ana River Wash Land Exchange” and dated September 3, 2015.

(5) **NON-FEDERAL EXCHANGE PARCEL.**—The term “non-Federal exchange parcel” means the approximately 59 acres of land owned by the Conservation District generally depicted as “SBVWCD Equalization Land” on the Map and is to be conveyed to the United States if necessary to equalize the fair market values of the lands otherwise to be exchanged.

(6) **NON-FEDERAL LAND.**—The term “non-Federal Land” means the approximately 310 acres of land owned by the Conservation District generally depicted as “SBVWCD to BLM” on the Map.

(b) **EXCHANGE OF LAND; EQUALIZATION OF VALUE.**—

(1) **EXCHANGE AUTHORIZED.**—Notwithstanding the land use planning requirements of sections 202, 210, and 211 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1720, 1721), subject to valid existing rights, and conditioned upon any equalization payment necessary under section 206(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(b)), and paragraph (2), as soon as practicable, but not later than 2 years after the date of enactment of this Act, if the Conservation District offers to convey the exchange land to the United States, the Secretary shall—

(A) convey to the Conservation District all right, title, and interest of the United States in and to the Federal land, and any such portion of the Federal exchange parcel as may be required to equalize the values of the lands exchanged; and

(B) accept from the Conservation District a conveyance of all right, title, and interest of the Conservation District in and to the non-Federal land, and any such portion of the non-Federal exchange parcel as may be required to equalize the values of the lands exchanged.

(2) **EQUALIZATION PAYMENT.**—To the extent an equalization payment is necessary under section 206(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(b)), the amount of such equalization payment shall first be made by way of in-kind transfer of such portion of the Federal exchange parcel to the Conservation District, or transfer of such portion of the non-Federal exchange parcel to the United States, as the case may be, as may be necessary to equalize the fair market values of the exchanged properties. The fair market value of the Federal exchange parcel or non-Federal exchange parcel, as the case may be, shall be credited against any required equalization payment. To the extent such credit is not sufficient to offset the entire amount of equalization payment so indicated, any remaining amount of equalization payment shall be treated as follows:

(A) If the equalization payment is to equalize values by which the Federal land exceeds the non-Federal land and the credited value of the non-Federal exchange parcel, Conservation District may make the equalization payment to the United States, notwithstanding any limitation regarding the amount of the equalization payment under section 206(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(b)). In the event Conservation District opts not to make the indicated equalization payment, the exchange shall not proceed.

(B) If the equalization payment is to equalize values by which the non-Federal land exceeds the Federal land and the credited value of the Federal exchange parcel, the Secretary shall order the exchange without requirement of any additional equalization payment by the United States to the Conservation District.

(3) **APPRAISALS.**—

(A) The value of the land to be exchanged under this section shall be determined by appraisals conducted by one or more independent and qualified appraisers.

(B) The appraisals shall be conducted in accordance with nationally recognized appraisal standards, including, as appropriate, the Uniform Appraisal Standards for Federal Land Acquisitions and the Uniform Standards of Professional Appraisal Practice.

(4) **TITLE APPROVAL.**—Title to the land to be exchanged under this section shall be in a format acceptable to the Secretary and the Conservation District.

(5) **MAP AND LEGAL DESCRIPTIONS.**—As soon as practicable after the date of enactment of this Act, the Secretary shall finalize a map

and legal descriptions of all land to be conveyed under this section. The Secretary may correct any minor errors in the map or in the legal descriptions. The map and legal descriptions shall be on file and available for public inspection in appropriate offices of the Bureau of Land Management.

(6) **COSTS OF CONVEYANCE.**—As a condition of conveyance, any costs related to the conveyance under this section shall be paid by the Conservation District.

(c) **APPLICABLE LAW.**—

(1) **ACT OF FEBRUARY 20, 1909.**—

(A) The Act of February 20, 1909 (35 Stat. 641), shall not apply to the Federal land and any public exchange land transferred under this section.

(B) The exchange of lands under this section shall be subject to continuing rights of the Conservation District under the Act of February 20, 1909 (35 Stat. 641), on the non-Federal land and any exchanged portion of the non-Federal exchange parcel for the continued use, maintenance, operation, construction, or relocation of, or expansion of, groundwater recharge facilities on the non-Federal land, to accommodate groundwater recharge of the Bunker Hill Basin to the extent that such activities are not in conflict with any Habitat Conservation Plan or Habitat Management Plan under which such non-Federal land or non-Federal exchange parcel may be held or managed.

(2) **FLPMA.**—Except as otherwise provided in this section, the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), shall apply to the exchange of land under this section.

(d) **CANCELLATION OF SECRETARIAL ORDER 241.**—Secretarial Order 241, dated November 11, 1929 (withdrawing a portion of the Federal land for an unconstructed transmission line), is terminated and the withdrawal thereby effected is revoked.

#### **SEC. 1004. UDALL PARK LAND EXCHANGE.**

(a) **DEFINITIONS.**—In this section:

(1) **CITY.**—The term “City” means the city of Tucson, Arizona.

(2) **NON-FEDERAL LAND.**—The term “non-Federal land” means the approximately 172.8-acre parcel of City land identified in the patent numbered 02-90-0001 and dated October 4, 1989, and more particularly described as lots 3 and 4, S½NW¼, sec. 5, T.14 S., R.15 E., Gila and Salt River Meridian, Arizona.

(b) **CONVEYANCE OF FEDERAL REVERSIONARY INTEREST IN LAND LOCATED IN TUCSON, ARIZONA.**—

(1) **IN GENERAL.**—Notwithstanding any other provision of law, the Secretary shall convey to the City, without consideration, the reversionary interests of the United States in and to the non-Federal land for the purpose of unencumbering the title to the non-Federal land to enable economic development of the non-Federal land.

(2) **LEGAL DESCRIPTIONS.**—As soon as practicable after the date of enactment of this Act, the exact legal descriptions of the non-Federal land shall be determined in a manner satisfactory to the Secretary.

(3) **ADDITIONAL TERMS AND CONDITIONS.**—The Secretary may require such additional terms and conditions to the conveyance under paragraph (1), consistent with that paragraph, as the Secretary considers appropriate to protect the interests of the United States.

(4) **COSTS.**—The City shall pay all costs associated with the conveyance under paragraph (1), consistent with that paragraph, including the costs of any surveys, recording costs, and other reasonable costs.

#### **SEC. 1005. CONFIRMATION OF STATE LAND GRANTS.**

(a) **IN GENERAL.**—Subject to valid existing rights, the State of Utah may select any

lands in T. 6 S. and T. 7 S., R. 1 W., Salt Lake Base and Meridian, that are owned by the United States, under the administrative jurisdiction of the Bureau of Land Management, and identified as available for disposal by land exchange in the Record of Decision for the Pony Express Resource Management Plan and Rangeland Program Summary for Utah County (January 1990), as amended by the Pony Express Plan Amendment (November 1997), in fulfillment of the land grants made in sections 6, 8, and 12 of the Act of July 16, 1894 (28 Stat. 107) as generally depicted on the map entitled “Proposed Utah County Quantity Grants” and dated June 27, 2017, to further the purposes of the State of Utah School and Institutional Trust Lands Administration, without further land use planning action by the Bureau of Land Management.

(b) **APPLICATION.**—The criteria listed in Decision 3 of the Lands Program of the resource management plan described in subsection (a) shall not apply to any land selected under that subsection.

(c) **EFFECT ON LIMITATION.**—Nothing in this section affects the limitation established under section 2815(d) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106-65).

#### **SEC. 1006. CUSTER COUNTY AIRPORT CONVEYANCE.**

(a) **DEFINITIONS.**—In this section:

(1) **COUNTY.**—The term “County” means Custer County, South Dakota.

(2) **FEDERAL LAND.**—The term “Federal land” means all right, title, and interest of the United States in and to approximately 65.7 acres of National Forest System land, as generally depicted on the map.

(3) **MAP.**—The term “map” means the map entitled “Custer County Airport Conveyance” and dated October 19, 2017.

(4) **SECRETARY.**—The term “Secretary” means the Secretary of Agriculture, acting through the Chief of the Forest Service.

(b) **LAND CONVEYANCE.**—

(1) **IN GENERAL.**—Subject to the terms and conditions described in paragraph (2), if the County submits to the Secretary an offer to acquire the Federal land for the market value, as determined by the appraisal under paragraph (3), the Secretary shall convey the Federal land to the County.

(2) **TERMS AND CONDITIONS.**—The conveyance under paragraph (1) shall be—

(A) subject to valid existing rights;

(B) made by quitclaim deed; and

(C) subject to any other terms and conditions as the Secretary considers appropriate to protect the interests of the United States.

(3) **APPRAISAL.**—

(A) **IN GENERAL.**—Not later than 60 days after the date of enactment of this Act, the Secretary shall complete an appraisal to determine the market value of the Federal land.

(B) **STANDARDS.**—The appraisal under subparagraph (A) shall be conducted in accordance with—

(i) the Uniform Appraisal Standards for Federal Land Acquisitions; and

(ii) the Uniform Standards of Professional Appraisal Practice.

(4) **MAP.**—

(A) **AVAILABILITY OF MAP.**—The map shall be kept on file and available for public inspection in the appropriate office of the Forest Service.

(B) **CORRECTION OF ERRORS.**—The Secretary may correct any errors in the map.

(5) **CONSIDERATION.**—As consideration for the conveyance under paragraph (1), the County shall pay to the Secretary an amount equal to the market value of the Federal land, as determined by the appraisal under paragraph (3).

(6) **SURVEY.**—The exact acreage and legal description of the Federal land to be con-

veyed under paragraph (1) shall be determined by a survey satisfactory to the Secretary.

(7) **COSTS OF CONVEYANCE.**—As a condition on the conveyance under paragraph (1), the County shall pay to the Secretary all costs associated with the conveyance, including the cost of—

(A) the appraisal under paragraph (3); and

(B) the survey under paragraph (6).

(8) **PROCEEDS FROM THE SALE OF LAND.**—Any proceeds received by the Secretary from the conveyance under paragraph (1) shall be—

(A) deposited in the fund established under Public Law 90-171 (commonly known as the “Sisk Act”) (16 U.S.C. 484a); and

(B) available to the Secretary until expended, without further appropriation, for the acquisition of inholdings in units of the National Forest System in the State of South Dakota.

#### **SEC. 1007. PASCUA YAQUI TRIBE LAND CONVEYANCE.**

(a) **DEFINITIONS.**—In this section:

(1) **DISTRICT.**—The term “District” means the Tucson Unified School District No. 1, a school district recognized as such under the laws of the State of Arizona.

(2) **MAP.**—The term “Map” means the map entitled “Pascua Yaqui Tribe Land Conveyance Act”, dated March 14, 2016, and on file and available for public inspection in the local office of the Bureau of Land Management.

(3) **RECREATION AND PUBLIC PURPOSES ACT.**—The term “Recreation and Public Purposes Act” means the Act of June 14, 1926 (43 U.S.C. 869 et seq.).

(4) **TRIBE.**—The term “Tribe” means the Pascua Yaqui Tribe of Arizona, a federally recognized Indian Tribe.

(b) **LAND TO BE HELD IN TRUST.**—

(1) **PARCEL A.**—Subject to paragraph (2) and to valid existing rights, all right, title, and interest of the United States in and to the approximately 39.65 acres of Federal lands generally depicted on the map as “Parcel A” are declared to be held in trust by the United States for the benefit of the Tribe.

(2) **EFFECTIVE DATE.**—Paragraph (1) shall take effect on the day after the date on which the District relinquishes all right, title, and interest of the District in and to the approximately 39.65 acres of land described in paragraph (1).

(c) **LANDS TO BE CONVEYED TO THE DISTRICT.**—

(1) **PARCEL B.**—

(A) **IN GENERAL.**—Subject to valid existing rights and payment to the United States of the fair market value, the United States shall convey to the District all right, title, and interest of the United States in and to the approximately 13.24 acres of Federal lands generally depicted on the map as “Parcel B”.

(B) **DETERMINATION OF FAIR MARKET VALUE.**—The fair market value of the property to be conveyed under subparagraph (A) shall be determined by the Secretary in accordance with the Uniform Appraisal Standards for Federal Land Acquisitions and the Uniform Standards of Professional Appraisal Practice.

(C) **COSTS OF CONVEYANCE.**—As a condition of the conveyance under this paragraph, all costs associated with the conveyance shall be paid by the District.

(2) **PARCEL C.**—

(A) **IN GENERAL.**—If, not later than 1 year after the completion of the appraisal required by subparagraph (C), the District submits to the Secretary an offer to acquire the Federal reversionary interest in all of the approximately 27.5 acres of land conveyed to the District under Recreation and Public Purposes Act and generally depicted on the

map as “Parcel C”, the Secretary shall convey to the District such reversionary interest in the lands covered by the offer. The Secretary shall complete the conveyance not later than 30 days after the date of the offer.

(B) SURVEY.—Not later than 90 days after the date of enactment of this Act, the Secretary shall complete a survey of the lands described in this paragraph to determine the precise boundaries and acreage of the lands subject to the Federal reversionary interest.

(C) APPRAISAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall complete an appraisal of the Federal reversionary interest in the lands identified by the survey required by subparagraph (B). The appraisal shall be completed in accordance with the Uniform Appraisal Standards for Federal Land Acquisitions and the Uniform Standards of Professional Appraisal Practice.

(D) CONSIDERATION.—As consideration for the conveyance of the Federal reversionary interest under this paragraph, the District shall pay to the Secretary an amount equal to the appraised value of the Federal interest, as determined under subparagraph (C). The consideration shall be paid not later than 30 days after the date of the conveyance.

(E) COSTS OF CONVEYANCE.—As a condition of the conveyance under this paragraph, all costs associated with the conveyance, including the cost of the survey required by subparagraph (B) and the appraisal required by subparagraph (C), shall be paid by the District.

(d) GAMING PROHIBITION.—The Tribe may not conduct gaming activities on lands taken into trust pursuant to this section, either as a matter of claimed inherent authority, under the authority of any Federal law, including the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.), or under regulations promulgated by the Secretary or the National Indian Gaming Commission.

(e) WATER RIGHTS.—

(1) IN GENERAL.—There shall be no Federal reserved right to surface water or groundwater for any land taken into trust by the United States for the benefit of the Tribe under this section.

(2) STATE WATER RIGHTS.—The Tribe retains any right or claim to water under State law for any land taken into trust by the United States for the benefit of the Tribe under this section.

(3) FORFEITURE OR ABANDONMENT.—Any water rights that are appurtenant to land taken into trust by the United States for the benefit of the Tribe under this section may not be forfeited or abandoned.

(4) ADMINISTRATION.—Nothing in this section affects or modifies any right of the Tribe or any obligation of the United States under Public Law 95-375.

#### SEC. 1008. LA PAZ COUNTY LAND CONVEYANCE.

(a) DEFINITIONS.—In this section:

(1) COUNTY.—The term “County” means La Paz County, Arizona.

(2) FEDERAL LAND.—The term “Federal land” means the approximately 5,935 acres of land managed by the Bureau of Land Management and designated as “Federal land to be conveyed” on the map.

(3) MAP.—The term “map” means the map prepared by the Bureau of Land Management entitled “Proposed La Paz County Land Conveyance” and dated October 1, 2018.

(b) CONVEYANCE TO LA PAZ COUNTY, ARIZONA.—

(1) IN GENERAL.—Notwithstanding the planning requirement of sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1713) and in accordance with this section and other applicable law, as soon as practicable after receiving a request from the County to convey the Federal land, the Secretary shall convey the Federal land to the County.

(2) RESTRICTIONS ON CONVEYANCE.—

(A) IN GENERAL.—The conveyance under paragraph (1) shall be subject to—

(i) valid existing rights; and

(ii) such terms and conditions as the Secretary determines to be necessary.

(B) EXCLUSION.—The Secretary shall exclude from the conveyance under paragraph (1) any Federal land that contains significant cultural, environmental, wildlife, or recreational resources.

(3) PAYMENT OF FAIR MARKET VALUE.—The conveyance under paragraph (1) shall be for the fair market value of the Federal land to be conveyed, as determined—

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

(B) based on an appraisal that is conducted in accordance with—

(i) the Uniform Appraisal Standards for Federal Land Acquisitions; and

(ii) the Uniform Standards of Professional Appraisal Practice.

(4) PROTECTION OF TRIBAL CULTURAL ARTIFACTS.—As a condition of the conveyance under paragraph (1), the County shall, and as a condition of any subsequent conveyance, any subsequent owner shall—

(A) make good faith efforts to avoid disturbing Tribal artifacts;

(B) minimize impacts on Tribal artifacts if they are disturbed;

(C) coordinate with the Colorado River Indian Tribes Tribal Historic Preservation Office to identify artifacts of cultural and historic significance; and

(D) allow Tribal representatives to rebury unearthed artifacts at or near where they were discovered.

(5) AVAILABILITY OF MAP.—

(A) IN GENERAL.—The map shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(B) CORRECTIONS.—The Secretary and the County may, by mutual agreement—

(i) make minor boundary adjustments to the Federal land to be conveyed under paragraph (1); and

(ii) correct any minor errors in the map, an acreage estimate, or the description of the Federal land.

(6) WITHDRAWAL.—The Federal land is withdrawn from the operation of the mining and mineral leasing laws of the United States.

(7) COSTS.—As a condition of the conveyance of the Federal land under paragraph (1), the County shall pay—

(A) an amount equal to the appraised value determined in accordance with paragraph (3)(B); and

(B) all costs related to the conveyance, including all surveys, appraisals, and other administrative costs associated with the conveyance of the Federal land to the County under paragraph (1).

(8) PROCEEDS FROM THE SALE OF LAND.—The proceeds from the sale of land under this subsection shall be—

(A) deposited in the Federal Land Disposal Account established by section 206(a) of the Federal Land Transaction Facilitation Act (43 U.S.C. 2305(a)); and

(B) used in accordance with that Act (43 U.S.C. 2301 et seq.).

#### SEC. 1009. LAKE BISTINEAU LAND TITLE STABILITY.

(a) DEFINITIONS.—In this section:

(1) CLAIMANT.—The term “claimant” means any individual, group, or corporation authorized to hold title to land or mineral interests in land in the State of Louisiana

with a valid claim to the omitted land, including any mineral interests.

(2) MAP.—The term “Map” means the map entitled “Lands as Delineated by Original Survey December 18, 1842 showing the 1969 Meander Line at the 148.6 Elevation Line” and dated January 30, 2018.

(3) OMITTED LAND.—

(A) IN GENERAL.—The term “omitted land” means the land in lots 6, 7, 8, 9, 10, 11, 12, and 13 of sec. 30, T. 16 N., R. 10 W., Louisiana Meridian, comprising a total of approximately 229.72 acres, as depicted on the Map, that—

(i) was in place during the Original Survey; but

(ii) was not included in the Original Survey.

(B) INCLUSION.—The term “omitted land” includes—

(i) Peggy’s Island in lot 1 of sec. 17, T. 16 N., R. 10 W., Louisiana Meridian; and

(ii) Hog Island in lot 1 of sec. 29, T. 16 N., R. 10 W., Louisiana Meridian.

(4) ORIGINAL SURVEY.—The term “Original Survey” means the survey of land surrounding Lake Bistineau, Louisiana, conducted by the General Land Office in 1838 and approved by the Surveyor General on December 8, 1842.

(b) CONVEYANCES.—

(1) IN GENERAL.—Consistent with the first section of the Act of December 22, 1928 (commonly known as the “Color of Title Act”) (45 Stat. 1069, chapter 47; 43 U.S.C. 1068), except as provided by this section, the Secretary shall convey to the claimant the omitted land, including any mineral interests, that has been held in good faith and in peaceful, adverse possession by a claimant or an ancestor or grantor of the claimant, under claim or color of title, based on the Original Survey.

(2) CONFIRMATION OF TITLE.—The conveyance or patent of omitted land to a claimant under paragraph (1) shall have the effect of confirming title to the surface and minerals in the claimant and shall not serve as any admission by a claimant.

(c) PAYMENT OF COSTS.—

(1) IN GENERAL.—Except as provided in paragraph (2), the conveyance required under subsection (b) shall be without consideration.

(2) CONDITION.—As a condition of the conveyance of the omitted land under subsection (b), before making the conveyance, the Secretary shall recover from the State of Louisiana any costs incurred by the Secretary relating to any survey, platting, legal description, or associated activities required to prepare and issue a patent under that subsection.

(d) MAP AND LEGAL DESCRIPTION.—As soon as practicable after the date of enactment of this Act, the Secretary shall file, and make available for public inspection in the appropriate offices of the Bureau of Land and Management, the Map and legal descriptions of the omitted land to be conveyed under subsection (b).

#### SEC. 1010. LAKE FANNIN LAND CONVEYANCE.

(a) DEFINITIONS.—In this section:

(1) COUNTY.—The term “County” means Fannin County, Texas.

(2) MAP.—The term “map” means the map entitled “Lake Fannin Conveyance” and dated November 21, 2013.

(3) NATIONAL FOREST SYSTEM LAND.—The term “National Forest System land” means the approximately 2,025 acres of National Forest System land generally depicted on the map.

(4) SECRETARY.—The term “Secretary” means the Secretary of Agriculture, acting through the Chief of the Forest Service.

(b) LAND CONVEYANCE.—

(1) IN GENERAL.—Subject to the terms and conditions described in paragraph (2), if the

County submits to the Secretary an offer to acquire the National Forest System land for the fair market value, as determined by the appraisal under paragraph (3), the Secretary shall convey the National Forest System land to the County.

(2) **TERMS AND CONDITIONS.**—The conveyance under paragraph (1) shall be—

(A) subject to valid existing rights;

(B) made by quitclaim deed; and

(C) subject to any other terms and conditions as the Secretary considers appropriate to protect the interests of the United States.

(3) **APPRAISAL.**—

(A) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall complete an appraisal to determine the fair market value of the National Forest System land.

(B) **STANDARDS.**—The appraisal under subparagraph (A) shall be conducted in accordance with—

(i) the Uniform Appraisal Standards for Federal Land Acquisitions; and

(ii) the Uniform Standards of Professional Appraisal Practice.

(4) **MAP.**—

(A) **AVAILABILITY OF MAP.**—The map shall be kept on file and available for public inspection in the appropriate office of the Forest Service.

(B) **CORRECTION OF ERRORS.**—The Secretary may correct minor errors in the map.

(5) **CONSIDERATION.**—As consideration for the conveyance under paragraph (1), the County shall pay to the Secretary an amount equal to the fair market value of the National Forest System land, as determined by the appraisal under paragraph (3).

(6) **SURVEY.**—The exact acreage and legal description of the National Forest System land to be conveyed under paragraph (1) shall be determined by a survey satisfactory to the Secretary and the County.

(7) **USE.**—As a condition of the conveyance under paragraph (1), the County shall agree to manage the land conveyed under that subsection for public recreational purposes.

(8) **COSTS OF CONVEYANCE.**—As a condition on the conveyance under paragraph (1), the County shall pay to the Secretary all costs associated with the conveyance, including the cost of—

(A) the appraisal under paragraph (3); and

(B) the survey under paragraph (6).

**SEC. 1011. LAND CONVEYANCE AND UTILITY RIGHT-OF-WAY, HENRY'S LAKE WILDERNESS STUDY AREA, IDAHO.**

(a) **CONVEYANCE AND RIGHT-OF-WAY AUTHORIZED.**—Notwithstanding section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)), the Secretary may—

(1) convey to the owner of a private residence located at 3787 Valhalla Road in Island Park, Idaho (in this section referred to as the “owner”), all right, title, and interest of the United States in and to the approximately 0.5 acres of Federal land in the Henry's Lake Wilderness Study Area described as lot 14, section 33, Township 16 North, Range 43 East, Boise Meridian, Fremont County, Idaho; and

(2) grant Fall River Electric in Ashton, Idaho, the right to operate, maintain, and rehabilitate a right-of-way encumbering approximately 0.4 acres of Federal land in the Henry's Lake Wilderness Study Area described as lot 15, section 33, Township 16 North, Range 43 East, Boise Meridian, Fremont County, Idaho, which includes an electric distribution line and access road, 850' in length, 20' in width.

(b) **CONSIDERATION; CONDITIONS.**—

(1) **LAND DISPOSAL.**—The Secretary shall convey the land under subsection (a)(1) in accordance with section 203 of the Federal Land Policy and Management Act of 1976 (43

U.S.C. 1713) and part 2711.3-3 of title 43, Code of Federal Regulations. As consideration for the conveyance the owner shall pay to the Secretary an amount equal to the fair market value as valued by a qualified land appraisal and approved by the Appraisal and Valuation Services Office.

(2) **RIGHT-OF-WAY.**—The Secretary shall grant the right-of-way granted under subsection (a)(2) in accordance with section 205 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1715), and part 2800 of title 43, Code of Federal Regulations.

(c) **ADDITIONAL TERMS AND CONDITIONS.**—The Secretary may require such additional terms and conditions in connection with the conveyance of the land and the grant of the right-of-way under this section as the Secretary considers appropriate to protect the interests of the United States.

**SEC. 1012. CONVEYANCE TO UKPEAGVIK INUPIAT CORPORATION.**

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, subject to valid existing rights, the Secretary shall convey to the Ukpeagvik Inupiat Corporation all right, title, and interest held by the United States in and to sand and gravel deposits underlying the surface estate owned by the Ukpeagvik Inupiat Corporation within and contiguous to the Barrow gas fields, and more particularly described as follows:

(1) T. 21 N. R. 16 W., secs. 7, 17-18, 19-21, and 28-29, of the Umiat Meridian.

(2) T. 21 N. R. 17 W., secs. 1-2 and 11-14, of the Umiat Meridian.

(3) T. 22 N. R. 18 W., secs. 4, 9, and 29-32, of the Umiat Meridian.

(4) T. 22 N. R. 19 W., secs. 25 and 36, of the Umiat Meridian.

(b) **ENTITLEMENT FULFILLED.**—The conveyance under this section shall fulfill the entitlement granted to the Ukpeagvik Inupiat Corporation under section 12(a) of the Alaska Native Claims Settlement Act (43 U.S.C. 1611(a)).

(c) **COMPLIANCE WITH ENDANGERED SPECIES ACT OF 1973.**—Nothing in this section affects any requirement, prohibition, or exception under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

**SEC. 1013. PUBLIC PURPOSE CONVEYANCE TO CITY OF HYDE PARK, UTAH.**

(a) **IN GENERAL.**—Notwithstanding the land use planning requirement of sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1713), on written request by the City of Hyde Park, Utah (referred to in this section as the “City”), the Secretary shall convey, without consideration, to the City the parcel of public land described in subsection (b)(1) for public recreation or other public purposes consistent with uses allowed under the Act of June 14, 1926 (commonly known as the “Recreation and Public Purposes Act”) (43 U.S.C. 869 et seq.).

(b) **DESCRIPTION OF LAND.**—

(1) **IN GENERAL.**—The parcel of public land referred to in subsection (a) is the approximately 80-acre parcel identified on the map entitled “Hyde Park Land Conveyance Act” and dated October 23, 2017.

(2) **AVAILABILITY OF MAP.**—The map referred to in paragraph (1) shall be on file and available for public inspection in appropriate offices of the Bureau of Land Management.

(c) **SURVEY.**—The exact acreage and legal description of the land to be conveyed under this section shall be determined by a survey satisfactory to the Secretary.

(d) **CONVEYANCE COSTS.**—As a condition for the conveyance under this section, all costs associated with the conveyance shall be paid by the City.

**SEC. 1014. JUAB COUNTY CONVEYANCE.**

(a) **DEFINITIONS.**—In this section:

(1) **COUNTY.**—The term “County” means Juab County, Utah.

(2) **SECRETARY.**—The term “Secretary” means the Secretary of Agriculture, acting through the Chief of the Forest Service.

(3) **NEPHI WORK CENTER CONVEYANCE PARCEL.**—The term “Nephi Work Center conveyance parcel” means the parcel of approximately 2.17 acres of National Forest System land in the County, located at 740 South Main Street, Nephi, Utah, as depicted as Tax Lot Numbers #XA00-0545-1111 and #XA00-0545-2 on the map entitled “Nephi Plat B” and dated May 6, 1981.

(b) **CONVEYANCE OF NEPHI WORK CENTER CONVEYANCE PARCEL, JUAB COUNTY, UTAH.**—

(1) **IN GENERAL.**—Not later than 1 year after the date on which the Secretary receives a request from the County and subject to valid existing rights and such terms and conditions as are mutually satisfactory to the Secretary and the County, including such additional terms as the Secretary determines to be necessary, the Secretary shall convey to the County without consideration all right, title, and interest of the United States in and to the Nephi Work Center conveyance parcel.

(2) **COSTS.**—Any costs relating to the conveyance under paragraph (1), including processing and transaction costs, shall be paid by the County.

(3) **USE OF LAND.**—The land conveyed to the County under paragraph (1) shall be used by the County—

(A) to house fire suppression and fuels mitigation personnel;

(B) to facilitate fire suppression and fuels mitigation activities; and

(C) for infrastructure and equipment necessary to carry out subparagraphs (A) and (B).

**SEC. 1015. BLACK MOUNTAIN RANGE AND BULLHEAD CITY LAND EXCHANGE.**

(a) **DEFINITIONS.**—In this section:

(1) **CITY.**—The term “City” means Bullhead City, Arizona.

(2) **NON-FEDERAL LAND.**—The term “non-Federal Land” means the approximately 1,100 acres of land owned by Bullhead City in the Black Mountain Range generally depicted as “Bullhead City Land to be Exchanged to BLM” on the Map.

(3) **MAP.**—The term “Map” means the map entitled “Bullhead City Land Exchange” and dated August 24, 2018.

(4) **FEDERAL LAND.**—The term “Federal land” means the approximately 345.2 acres of land in Bullhead City, Arizona, generally depicted as “Federal Land to be exchanged to Bullhead City” on the Map.

(b) **LAND EXCHANGE.**—

(1) **IN GENERAL.**—If after December 15, 2020, the City offers to convey to the Secretary all right, title, and interest of the City in and to the non-Federal land, the Secretary shall accept the offer and simultaneously convey to the City all right, title, and interest of the United States in and to the Federal land.

(2) **LAND TITLE.**—Title to the non-Federal land conveyed to the Secretary under this section shall be in a form acceptable to the Secretary and shall conform to the title approval standards of the Attorney General of the United States applicable to land acquisitions by the Federal Government.

(3) **EXCHANGE COSTS.**—The City shall pay for all land survey, appraisal, and other costs to the Secretary as may be necessary to process and consummate the exchange under this section.

(c) **EQUAL VALUE EXCHANGE AND APPRAISALS.**—

(1) **APPRAISALS.**—The values of the lands to be exchanged under this section shall be determined by the Secretary through appraisals performed—

(A) in accordance with—

(i) the Uniform Appraisal Standards for Federal Land Acquisitions;

(ii) the Uniform Standards of Professional Appraisal Practice; and

(iii) appraisal instructions issued by the Secretary; and

(B) by an appraiser mutually agreed to by the Secretary and the City.

(2) **EQUAL VALUE EXCHANGE.**—The values of the Federal and non-Federal land parcels exchanged shall be equal, or if they are not equal, shall be equalized as follows:

(A) **SURPLUS OF FEDERAL LAND VALUE.**—If the final appraised value of the Federal land exceeds the final appraised value of the non-Federal land, the City shall reduce the amount of land it is requesting from the Federal Government in order to create an equal value in accordance with section 206(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(b)). Land that is not exchanged because of equalization under this subparagraph shall remain subject to lease under 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.).

(B) **USE OF FUNDS.**—Any cash equalization moneys received by the Secretary under subparagraph (A) shall be—

(i) deposited in the Federal Land Disposal Account established by section 206(a) of the Federal Land Transaction Facilitation Act (43 U.S.C. 2305(a)); and

(ii) used in accordance with that Act (43 U.S.C. 2301 et seq.).

(C) **SURPLUS OF NON-FEDERAL LAND VALUE.**—If the final appraised value of the non-Federal land exceeds the final appraised value of the Federal land, the United States shall not make a cash equalization payment to the City, and surplus value of the non-Federal land shall be considered a donation by the City to the United States for all purposes of law.

(d) **WITHDRAWAL PROVISIONS.**—Lands acquired by the Secretary under this section are, upon such acquisition, automatically and permanently withdrawn from all forms of appropriation and disposal under the public land laws (including the mining and mineral leasing laws) and the Geothermal Steam Act of 1930 (30 U.S.C. 1001 et seq.).

(e) **MAPS, ESTIMATES, AND DESCRIPTIONS.**—

(1) **MINOR ERRORS.**—The Secretary and the City may, by mutual agreement—

(A) make minor boundary adjustments to the Federal and non-Federal lands involved in the exchange; and

(B) correct any minor errors in any map, acreage estimate, or description of any land to be exchanged.

(2) **CONFLICT.**—If there is a conflict between a map, an acreage estimate, or a description of land under this section, the map shall control unless the Secretary and the City mutually agree otherwise.

(3) **AVAILABILITY.**—The Secretary shall file and make available for public inspection in the Arizona headquarters of the Bureau of Land Management a copy of all maps referred to in this section.

#### **SEC. 1016. COTTONWOOD LAND EXCHANGE.**

(a) **DEFINITIONS.**—In this section:

(1) **COUNTY.**—The term “County” means Yavapai County, Arizona.

(2) **FEDERAL LAND.**—The term “Federal land” means all right, title, and interest of the United States in and to approximately 80 acres of land within the Coconino National Forest, in Yavapai County, Arizona, generally depicted as “Coconino National Forest Parcels ‘Federal Land’” on the map.

(3) **MAP.**—The term “map” means the map entitled “Cottonwood Land Exchange”, with the revision date July 5, 2018 (Version 1).

(4) **NON-FEDERAL LAND.**—The term “non-Federal land” means the approximately 369

acres of land in Yavapai County, Arizona, generally depicted as “Yavapai County Parcels ‘Non-Federal Land’” on the map.

(5) **SECRETARY.**—The term “Secretary” means the Secretary of Agriculture, unless otherwise specified.

(b) **LAND EXCHANGE.**—

(1) **IN GENERAL.**—If the County offers to convey to the Secretary all right, title, and interest of the County in and to the non-Federal land, the Secretary shall accept the offer and simultaneously convey to the County all right, title, and interest of the United States to the Federal land.

(2) **LAND TITLE.**—Title to the non-Federal land conveyed to the Secretary under this section shall be acceptable to the Secretary and shall conform to the title approval standards of the Attorney General of the United States applicable to land acquisitions by the Federal Government.

(3) **EXCHANGE COSTS.**—The County shall pay for all land survey, appraisal, and other costs to the Secretary as may be necessary to process and consummate the exchange under this section, including reimbursement to the Secretary, if the Secretary so requests, for staff time spent in such processing and consummation.

(c) **EQUAL VALUE EXCHANGE AND APPRAISALS.**—

(1) **APPRAISALS.**—The values of the lands to be exchanged under this section shall be determined by the Secretary through appraisals performed—

(A) in accordance with—

(i) the Uniform Appraisal Standards for Federal Land Acquisitions;

(ii) the Uniform Standards of Professional Appraisal Practice; and

(iii) appraisal instructions issued by the Secretary; and

(B) by an appraiser mutually agreed to by the Secretary and the County.

(2) **EQUAL VALUE EXCHANGE.**—The values of the Federal and non-Federal land parcels exchanged shall be equal, or if they are not equal, shall be equalized as follows:

(A) **SURPLUS OF FEDERAL LAND VALUE.**—If the final appraised value of the Federal land exceeds the final appraised value of the non-Federal land, the County shall make a cash equalization payment to the United States as necessary to achieve equal value, including, if necessary, an amount in excess of that authorized pursuant to section 206(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(b)).

(B) **USE OF FUNDS.**—Any cash equalization moneys received by the Secretary under subparagraph (A) shall be—

(i) deposited in the fund established under Public Law 90-171 (commonly known as the “Sisk Act”); 16 U.S.C. 484a; and

(ii) made available to the Secretary for the acquisition of land or interests in land in Region 3 of the Forest Service.

(C) **SURPLUS OF NON-FEDERAL LAND VALUE.**—If the final appraised value of the non-Federal land exceeds the final appraised value of the Federal land, the United States shall not make a cash equalization payment to the County, and surplus value of the non-Federal land shall be considered a donation by the County to the United States for all purposes of law.

(d) **WITHDRAWAL PROVISIONS.**—Lands acquired by the Secretary under this section are, upon such acquisition, automatically and permanently withdrawn from all forms of appropriation and disposal under the public land laws (including the mining and mineral leasing laws) and the Geothermal Steam Act of 1930 (30 U.S.C. 1001 et seq.).

(e) **MANAGEMENT OF LAND.**—Land acquired by the Secretary under this section shall become part of the Coconino National Forest and be managed in accordance with the laws,

rules, and regulations applicable to the National Forest System.

(f) **MAPS, ESTIMATES, AND DESCRIPTIONS.**—

(1) **MINOR ERRORS.**—The Secretary and the County may, by mutual agreement—

(A) make minor boundary adjustments to the Federal and non-Federal lands involved in the exchange; and

(B) correct any minor errors in any map, acreage estimate, or description of any land to be exchanged.

(2) **CONFLICT.**—If there is a conflict between a map, an acreage estimate, or a description of land under this section, the map shall control unless the Secretary and the County mutually agree otherwise.

(3) **AVAILABILITY.**—The Secretary shall file and make available for public inspection in the headquarters of the Coconino National Forest a copy of all maps referred to in this section.

#### **SEC. 1017. EMBRY-RIDDLE TRI-CITY LAND EXCHANGE.**

(a) **DEFINITIONS.**—In this section:

(1) **NON-FEDERAL LAND.**—The term “non-Federal land” means the approximately 16-acre parcel of University land identified in section 3(a) of Public Law 105-363 (112 Stat. 3297).

(2) **UNIVERSITY.**—The term “University” means Embry-Riddle Aeronautical University, Florida.

(b) **CONVEYANCE OF FEDERAL REVERSIONARY INTEREST IN LAND LOCATED IN THE COUNTY OF YAVAPAI, ARIZONA.**—

(1) **IN GENERAL.**—Notwithstanding any other provision of law, if after the completion of the appraisal required under subsection (c), the University submits to the Secretary an offer to acquire the reversionary interests of the United States in and to the non-Federal land, the Secretary shall convey to the University the reversionary interests of the United States in and to the non-Federal land for the purpose of unencumbering the title to the non-Federal land to enable economic development of the non-Federal land.

(2) **LEGAL DESCRIPTIONS.**—As soon as practicable after the date of enactment of this Act, the exact legal description of the non-Federal land shall be determined in a manner satisfactory to the Secretary.

(3) **ADDITIONAL TERMS AND CONDITIONS.**—The Secretary may require such additional terms and conditions to the conveyance under paragraph (1), consistent with this section, as the Secretary considers appropriate to protect the interests of the United States.

(4) **COSTS.**—The University shall pay all costs associated with the conveyance under paragraph (1), including the costs of the appraisal required under subsection (c), the costs of any surveys, recording costs, and other reasonable costs.

(c) **APPRAISAL.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall complete an appraisal of the reversionary interests of the United States in and to the non-Federal land.

(2) **APPLICABLE LAW.**—The appraisal shall be completed in accordance with—

(A) the Uniform Appraisal Standards for Federal Land Acquisitions; and

(B) the Uniform Standards of Professional Appraisal Practice.

(d) **CONSIDERATION.**—

(1) **IN GENERAL.**—As consideration for the conveyance of the reversionary interests of the United States in and to the non-Federal land under this section, the University shall pay to the Secretary an amount equal to the appraised value of the interests of the United States, as determined under subsection (c).

(2) **DEPOSIT; USE.**—Amounts received under paragraph (1) shall be—



(A) deposited in the Federal Land Disposal Account established by section 206(a) of the Federal Land Transaction Facilitation Act (43 U.S.C. 2305(a)); and

(B) used in accordance with that Act (43 U.S.C. 2301 et seq.).

#### **Subtitle B—Public Land and National Forest System Management**

##### **SEC. 1101. BOLTS DITCH ACCESS.**

(a) ACCESS GRANTED.—The Secretary of Agriculture shall permit by special use authorization nonmotorized access and use, in accordance with section 293.6 of title 36, Code of Federal Regulations, of the Bolts Ditch Headgate and the Bolts Ditch within the Holy Cross Wilderness, Colorado, as designated by Public Law 96-560 (94 Stat. 3265), for the purposes of the diversion of water and use, maintenance, and repair of such ditch and headgate by the Town of Minturn, Colorado, a Colorado Home Rule Municipality.

(b) LOCATION OF FACILITIES.—The Bolts Ditch headgate and ditch segment referenced in subsection (a) are as generally depicted on the map entitled “Bolts Ditch headgate and Ditch Segment” and dated November 2015.

##### **SEC. 1102. CLARIFICATION RELATING TO A CERTAIN LAND DESCRIPTION UNDER THE NORTHERN ARIZONA LAND EXCHANGE AND VERDE RIVER BASIN PARTNERSHIP ACT OF 2005.**

Section 104(a)(5) of the Northern Arizona Land Exchange and Verde River Basin Partnership Act of 2005 (Public Law 109-110; 119 Stat. 2356) is amended by inserting before the period at the end “, which, notwithstanding section 102(a)(4)(B), includes the N½ NE¼ SW¼ SW¼, the N½ N½ SE¼ SW¼, and the N½ N½ SW¼ SE¼, sec. 34, Township 22 North, Range 2 East, Gila and Salt River Meridian, Coconino County, Arizona, comprising approximately 25 acres”.

##### **SEC. 1103. FRANK AND JEANNE MOORE WILD STEELHEAD SPECIAL MANAGEMENT AREA.**

(a) FINDINGS.—Congress finds that—

(1) Frank Moore has committed his life to family, friends, his country, and fly fishing;

(2) Frank Moore is a World War II veteran who stormed the beaches of Normandy along with 150,000 troops during the D-Day Allied invasion and was awarded the Chevalier of the French Legion of Honor for his bravery;

(3) Frank Moore returned home after the war, started a family, and pursued his passion of fishing on the winding rivers in Oregon;

(4) as the proprietor of the Steamboat Inn along the North Umpqua River in Oregon for nearly 20 years, Frank Moore, along with his wife Jeanne, shared his love of fishing, the flowing river, and the great outdoors, with visitors from all over the United States and the world;

(5) Frank Moore has spent most of his life fishing the vast rivers of Oregon, during which time he has contributed significantly to efforts to conserve fish habitats and protect river health, including serving on the State of Oregon Fish and Wildlife Commission;

(6) Frank Moore has been recognized for his conservation work with the National Wildlife Federation Conservationist of the Year award, the Wild Steelhead Coalition Conservation Award, and his 2010 induction into the Fresh Water Fishing Hall of Fame; and

(7) in honor of the many accomplishments of Frank Moore, both on and off the river, approximately 99,653 acres of Forest Service land in the State of Oregon should be designated as the “Frank and Jeanne Moore Wild Steelhead Special Management Area”.

(b) DEFINITIONS.—In this section:

(1) MAP.—The term “Map” means the map entitled “Frank Moore Wild Steelhead Spe-

cial Management Area Designation Act” and dated June 23, 2016.

(2) SECRETARY.—The term “Secretary” means the Secretary of Agriculture, acting through the Chief of the Forest Service.

(3) SPECIAL MANAGEMENT AREA.—The term “Special Management Area” means the Frank and Jeanne Moore Wild Steelhead Special Management Area designated by subsection (c)(1).

(4) STATE.—The term “State” means the State of Oregon.

(c) FRANK AND JEANNE MOORE WILD STEELHEAD SPECIAL MANAGEMENT AREA, OREGON.—

(1) DESIGNATION.—The approximately 99,653 acres of Forest Service land in the State, as generally depicted on the Map, is designated as the “Frank and Jeanne Moore Wild Steelhead Special Management Area”.

(2) MAP; LEGAL DESCRIPTION.—

(A) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall prepare a map and legal description of the Special Management Area.

(B) FORCE OF LAW.—The map and legal description prepared under subparagraph (A) shall have the same force and effect as if included in this section, except that the Secretary may correct clerical and typographical errors in the map and legal description.

(C) AVAILABILITY.—The map and legal description prepared under subparagraph (A) shall be on file and available for public inspection in the appropriate offices of the Forest Service.

(3) ADMINISTRATION.—Subject to valid existing rights, the Special Management Area shall be administered by the Secretary—

(A) in accordance with all laws (including regulations) applicable to the National Forest System; and

(B) in a manner that—

(i) conserves and enhances the natural character, scientific use, and the botanical, recreational, ecological, fish and wildlife, scenic, drinking water, and cultural values of the Special Management Area;

(ii) maintains and seeks to enhance the wild salmonid habitat of the Special Management Area;

(iii) maintains or enhances the watershed as a thermal refuge for wild salmonids; and

(iv) preserves opportunities for recreation, including primitive recreation.

(4) FISH AND WILDLIFE.—Nothing in this section affects the jurisdiction or responsibilities of the State with respect to fish and wildlife in the State.

(5) ADJACENT MANAGEMENT.—Nothing in this section—

(A) creates any protective perimeter or buffer zone around the Special Management Area; or

(B) modifies the applicable travel management plan for the Special Management Area.

(6) WILDFIRE MANAGEMENT.—Nothing in this section prohibits the Secretary, in cooperation with other Federal, State, and local agencies, as appropriate, from conducting wildland fire operations in the Special Management Area, consistent with the purposes of this section, including the use of aircraft, machinery, mechanized equipment, fire breaks, backfires, and retardant.

(7) VEGETATION MANAGEMENT.—Nothing in this section prohibits the Secretary from conducting vegetation management projects within the Special Management Area in a manner consistent with—

(A) the purposes described in paragraph (3); and

(B) the applicable forest plan.

(8) PROTECTION OF TRIBAL RIGHTS.—Nothing in this section diminishes any treaty rights of an Indian Tribe.

(9) WITHDRAWAL.—Subject to valid existing rights, the Federal land within the boundaries of the Special Management Area river segments designated by paragraph (1) is withdrawn from all forms of—

(A) entry, appropriation, or disposal under the public land laws;

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

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

##### **SEC. 1104. MAINTENANCE OR REPLACEMENT OF FACILITIES AND STRUCTURES AT SMITH GULCH.**

The authorization of the Secretary of Agriculture to maintain or replace facilities or structures for commercial recreation services at Smith Gulch under section 3(a)(24)(D) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)(24)(D))—

(1) may include improvements or replacements that the Secretary of Agriculture determines—

(A) are consistent with section 9(b) of the Central Idaho Wilderness Act of 1980 (16 U.S.C. 1281 note; Public Law 96-312); and

(B) would reduce the impact of the commercial recreation facilities or services on wilderness or wild and scenic river resources and values; and

(2) authorizes the Secretary of Agriculture to consider including, as appropriate—

(A) hydroelectric generators and associated electrical transmission facilities;

(B) water pumps for fire suppression;

(C) transitions from propane to electrical lighting;

(D) solar energy systems;

(E) 6-volt or 12-volt battery banks for power storage; and

(F) other improvements or replacements which are consistent with this section that the Secretary of Agriculture determines appropriate.

##### **SEC. 1105. REPEAL OF PROVISION LIMITING THE EXPORT OF TIMBER HARVESTED FROM CERTAIN KAKE TRIBAL CORPORATION LAND.**

Section 42 of the Alaska Native Claims Settlement Act (43 U.S.C. 1629h) is amended—

(1) by striking subsection (h);

(2) by redesignating subsection (i) as subsection (h); and

(3) in subsection (h) (as so redesignated), in the first sentence, by striking “and to provide” and all that follows through “subsection (h)”.

##### **SEC. 1106. DESIGNATION OF FOWLER AND BOSKOFF PEAKS.**

(a) DESIGNATION OF FOWLER PEAK.—

(1) IN GENERAL.—The 13,498-foot mountain peak, located at 37.8569° N, by -108.0117° W, in the Uncompahgre National Forest in the State of Colorado, shall be known and designated as “Fowler Peak”.

(2) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the peak described in paragraph (1) shall be deemed to be a reference to “Fowler Peak”.

(b) DESIGNATION OF BOSKOFF PEAK.—

(1) IN GENERAL.—The 13,123-foot mountain peak, located at 37.8549° N, by -108.03112° W, in the Uncompahgre National Forest in the State of Colorado, shall be known and designated as “Boskoff Peak”.

(2) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the peak described in paragraph (1) shall be deemed to be a reference to “Boskoff Peak”.

##### **SEC. 1107. CORONADO NATIONAL FOREST LAND CONVEYANCE.**

(a) DEFINITIONS.—In this section:

(1) PERMITTEE.—

(A) IN GENERAL.—The term “permittee” means a person who, on the date of enactment of this Act, holds a valid permit for use of a property.

(B) INCLUSIONS.—The term “permittee” includes any heirs, executors, and assigns of the permittee or interest of the permittee.

(2) PROPERTY.—The term “property” means—

(A) the approximately 1.1 acres of National Forest System land in sec. 8, T. 10 S., R. 16 E., Gila and Salt River Meridian, as generally depicted on the map entitled “Coronado National Forest Land Conveyance Act of 2017”, special use permit numbered SAN5005-03, and dated October 2017;

(B) the approximately 4.5 acres of National Forest System land in sec. 8, T. 10 S., R. 16 E., Gila and Salt River Meridian, as generally depicted on the map entitled “Coronado National Forest Land Conveyance Act of 2017”, special use permit numbered SAN5116-03, and dated October 2017; and

(C) the approximately 3.9 acres of National Forest System land in NW¼, sec. 1, T. 10 S., R. 15 E., Gila and Salt River Meridian, as generally depicted on the map entitled “Coronado National Forest Land Conveyance Act of 2017”, special use permit numbered SAN5039-02, and dated October 2017.

(3) SECRETARY.—The term “Secretary” means the Secretary of Agriculture.

(b) SALE.—

(1) IN GENERAL.—Subject to valid existing rights, during the period described in paragraph (2), not later than 90 days after the date on which a permittee submits a request to the Secretary, the Secretary shall—

(A) accept tender of consideration from that permittee; and

(B) sell and quitclaim to that permittee all right, title, and interest of the United States in and to the property for which the permittee holds a permit.

(2) PERIOD DESCRIBED.—The period referred to in paragraph (1) is the period beginning on the date of enactment of this Act and ending on the date of expiration of the applicable permit.

(c) TERMS AND CONDITIONS.—The Secretary may establish such terms and conditions on the sales of the properties under this section as the Secretary determines to be in the public interest.

(d) CONSIDERATION.—A sale of a property under this section shall be for cash consideration equal to the market value of the property, as determined by the appraisal described in subsection (e).

(e) APPRAISAL.—

(1) IN GENERAL.—The Secretary shall complete an appraisal of each property, which shall—

(A) include the value of any appurtenant easements; and

(B) exclude the value of any private improvements made by a permittee of the property before the date of appraisal.

(2) STANDARDS.—An appraisal under paragraph (1) shall be conducted in accordance with—

(A) the Uniform Appraisal Standards for Federal Land Acquisitions, established in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.); and

(B) the Uniform Standards of Professional Appraisal Practice.

(f) COSTS.—The Secretary shall pay—

(1) the cost of a conveyance of a property under this section; and

(2) the cost of an appraisal under subsection (e).

(g) PROCEEDS FROM THE SALE OF LAND.—Any payment received by the Secretary from the sale of property under this section shall be deposited in the fund established under Public Law 90-171 (commonly known as the

“Sisk Act”) (16 U.S.C. 484a) and shall be available to the Secretary until expended for the acquisition of inholdings in national forests in the State of Arizona.

(h) MAPS AND LEGAL DESCRIPTIONS.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall file maps and legal descriptions of each property.

(2) FORCE OF LAW.—The maps and legal descriptions filed under paragraph (1) shall have the same force and effect as if included in this section, except that the Secretary may correct typographical errors in the maps and legal descriptions.

(3) PUBLIC AVAILABILITY.—The maps and legal descriptions filed under paragraph (1) shall be on file and available for public inspection in the office of the Supervisor of the Coronado National Forest.

#### **SEC. 1108. DESCHUTES CANYON-STEELHEAD FALLS WILDERNESS STUDY AREA BOUNDARY ADJUSTMENT, OREGON.**

(a) BOUNDARY ADJUSTMENT.—The boundary of the Deschutes Canyon-Steelhead Falls Wilderness Study Area is modified to exclude approximately 688 acres of public land, as depicted on the map entitled “Deschutes Canyon-Steelhead Falls Wilderness Study Area (WSA) Proposed Boundary Adjustment” and dated September 26, 2018.

(b) EFFECT OF EXCLUSION.—

(1) IN GENERAL.—The public land excluded from the Deschutes Canyon-Steelhead Falls Wilderness Study Area under subsection (a)—

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

(B) shall be managed in accordance with—

(i) this section;

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

(iii) any applicable resource management plan.

(2) MANAGEMENT.—The Secretary shall manage the land excluded from the Deschutes Canyon-Steelhead Falls Wilderness Study Area under subsection (a) to improve fire resiliency and forest health, including the conduct of wildfire prevention and response activities, as appropriate.

(3) OFF-ROAD RECREATIONAL MOTORIZED USE.—The Secretary shall not permit off-road recreational motorized use on the public land excluded from the Deschutes Canyon-Steelhead Falls Wilderness Study Area under subsection (a).

#### **SEC. 1109. MAINTENANCE OF FEDERAL MINERAL LEASES BASED ON EXTRACTION OF HELIUM.**

The first section of the Mineral Leasing Act (30 U.S.C. 181) is amended in the fifth paragraph by inserting after “purchaser thereof” the following: “, and that extraction of helium from gas produced from such lands shall maintain the lease as if the extracted helium were oil and gas”.

#### **SEC. 1110. SMALL MINER WAIVERS TO CLAIM MAINTENANCE FEES.**

(a) DEFINITIONS.—In this section:

(1) COVERED CLAIMHOLDER.—The term “covered claimholder” means—

(A) the claimholder of the claims in the State numbered AA023149, AA023163, AA047913, AA047914, AA047915, AA047916, AA047917, AA047918, and AA047919 (as of December 29, 2004);

(B) the claimholder of the claim in the State numbered FF-059315 (as of December 29, 2004);

(C) the claimholder of the claims in the State numbered FF-58607, FF-58608, FF-58609, FF-58610, FF-58611, FF-58613, FF-58615, FF-58616, FF-58617, and FF-58618 (as of December 31, 2003); and

(D) the claimholder of the claims in the State numbered FF-53988, FF-53989, and FF-53990 (as of December 31, 1987).

(2) DEFECT.—The term “defect” includes a failure—

(A) to timely file—

(i) a small miner maintenance fee waiver application;

(ii) an affidavit of annual labor associated with a small miner maintenance fee waiver application; or

(iii) an instrument required under section 314(a) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1744(a)); and

(B) to pay the required application fee for a small maintenance fee waiver application.

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

(b) TREATMENT OF COVERED CLAIMHOLDERS.—Notwithstanding section 10101(d) of the Omnibus Budget Reconciliation Act of 1993 (30 U.S.C. 28f(d)) and section 314(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1744(c)), each covered claimholder shall, during the 60-day period beginning on the date on which the covered claimholder receives written notification from the Bureau of Land Management by registered mail of the opportunity, have the opportunity—

(1)(A) to cure any defect in a small miner maintenance fee waiver application (including the failure to timely file a small miner maintenance fee waiver application) for any prior period during which the defect existed; or

(B) to pay any claim maintenance fees due for any prior period during which the defect existed; and

(2) to cure any defect in the filing of any instrument required under section 314(a) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1744(a)) (including the failure to timely file any required instrument) for any prior period during which the defect existed.

(c) REINSTATEMENT OF CLAIMS DEEMED FORFEITED.—The Secretary shall reinstate any claim of a covered claimholder as of the date declared forfeited and void—

(1) under section 10104 of the Omnibus Budget Reconciliation Act of 1993 (30 U.S.C. 28i) for failure to pay the claim maintenance fee or obtain a valid waiver under section 10101 of the Omnibus Budget Reconciliation Act of 1993 (30 U.S.C. 28f); or

(2) under section 314(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1744(c)) for failure to file any instrument required under section 314(a) of that Act (43 U.S.C. 1744(a)) for any prior period during which the defect existed if the covered claimholder—

(A) cures the defect; or

(B) pays the claim maintenance fee under subsection (b)(1)(B).

#### **SEC. 1111. SAINT FRANCIS DAM DISASTER NATIONAL MEMORIAL AND NATIONAL MONUMENT.**

(a) DEFINITIONS.—In this section:

(1) MEMORIAL.—The term “Memorial” means the Saint Francis Dam Disaster National Memorial authorized under subsection (b)(1).

(2) MONUMENT.—The term “Monument” means the Saint Francis Dam Disaster National Monument established by subsection (d)(1).

(3) SECRETARY.—The term “Secretary” means the Secretary of Agriculture.

(4) STATE.—The term “State” means the State of California.

(b) SAINT FRANCIS DAM DISASTER NATIONAL MEMORIAL.—

(1) ESTABLISHMENT.—The Secretary may establish a memorial at the Saint Francis Dam site in the county of Los Angeles, California, for the purpose of honoring the victims of the Saint Francis Dam disaster of March 12, 1928.

(2) REQUIREMENTS.—The Memorial shall be—

(A) known as the “Saint Francis Dam Disaster National Memorial”; and

(B) managed by the Forest Service.

(3) DONATIONS.—The Secretary may accept, hold, administer, invest, and spend any gift, devise, or bequest of real or personal property made to the Secretary for purposes of developing, designing, constructing, and managing the Memorial.

(C) RECOMMENDATIONS FOR MEMORIAL.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit to Congress recommendations regarding—

(A) the planning, design, construction, and long-term management of the Memorial;

(B) the proposed boundaries of the Memorial;

(C) a visitor center and educational facilities at the Memorial; and

(D) ensuring public access to the Memorial.

(2) CONSULTATION.—In preparing the recommendations required under paragraph (1), the Secretary shall consult with—

(A) appropriate Federal agencies;

(B) State, Tribal, and local governments, including the Santa Clarita City Council; and

(C) the public.

(d) ESTABLISHMENT OF SAINT FRANCIS DAM DISASTER NATIONAL MONUMENT.—

(1) ESTABLISHMENT.—There is established as a national monument in the State certain National Forest System land administered by the Secretary in the county of Los Angeles, California, comprising approximately 353 acres, as generally depicted on the map entitled “Proposed Saint Francis Dam Disaster National Monument” and dated September 12, 2018, to be known as the “Saint Francis Dam Disaster National Monument”.

(2) PURPOSE.—The purpose of the Monument is to conserve and enhance for the benefit and enjoyment of the public the cultural, archaeological, historical, watershed, educational, and recreational resources and values of the Monument.

(e) DUTIES OF THE SECRETARY WITH RESPECT TO MONUMENT.—

(1) MANAGEMENT PLAN.—

(A) IN GENERAL.—Not later than 4 years after the date of enactment of this Act, the Secretary shall develop a management plan for the Monument.

(B) CONSULTATION.—The management plan shall be developed in consultation with—

(i) appropriate Federal agencies;

(ii) State, Tribal, and local governments; and

(iii) the public.

(C) CONSIDERATIONS.—In developing and implementing the management plan, the Secretary shall, with respect to methods of protecting and providing access to the Monument, consider the recommendations of the Saint Francis Disaster National Memorial Foundation, the Santa Clarita Valley Historical Society, and the Community Hiking Club of Santa Clarita.

(2) MANAGEMENT.—The Secretary shall manage the Monument—

(A) in a manner that conserves and enhances the cultural and historic resources of the Monument; and

(B) in accordance with—

(i) the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600 et seq.);

(ii) the laws generally applicable to the National Forest System;

(iii) this section; and

(iv) any other applicable laws.

(3) USES.—

(A) USE OF MOTORIZED VEHICLES.—The use of motorized vehicles within the Monument may be permitted only—

(i) on roads designated for use by motorized vehicles in the management plan required under paragraph (1);

(ii) for administrative purposes; or

(iii) for emergency responses.

(B) GRAZING.—The Secretary shall permit grazing within the Monument, where established before the date of enactment of this Act—

(i) subject to all applicable laws (including regulations and Executive orders); and

(ii) consistent with the purpose described in subsection (d)(2).

(4) NO BUFFER ZONES.—

(A) IN GENERAL.—Nothing in this section creates a protective perimeter or buffer zone around the Monument.

(B) ACTIVITIES OUTSIDE NATIONAL MONUMENT.—The fact that an activity or use on land outside the Monument can be seen or heard within the Monument shall not preclude the activity or use outside the boundary of the Monument.

(f) CLARIFICATION ON FUNDING.—

(1) USE OF EXISTING FUNDS.—This section shall be carried out using amounts otherwise made available to the Secretary.

(2) NO ADDITIONAL FUNDS.—No additional funds are authorized to be appropriated to carry out this section.

(g) EFFECT.—Nothing in this section affects the operation, maintenance, replacement, or modification of existing water resource, flood control, utility, pipeline, or telecommunications facilities that are located outside the boundary of the Monument, subject to the special use authorities of the Secretary of Agriculture and other applicable laws.

#### SEC. 1112. OWYHEE WILDERNESS AREAS BOUNDARY MODIFICATIONS.

(a) BOUNDARY MODIFICATIONS.—

(1) NORTH FORK OWYHEE WILDERNESS.—The boundary of the North Fork Owyhee Wilderness established by section 1503(a)(1)(D) of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 1033) is modified to exclude certain land, as depicted on—

(A) the Bureau of Land Management map entitled “North Fork Owyhee and Pole Creek Wilderness Aerial” and dated July 19, 2016; and

(B) the Bureau of Land Management map entitled “North Fork Owyhee River Wilderness Big Springs Camp Zoom Aerial” and dated July 19, 2016.

(2) OWYHEE RIVER WILDERNESS.—The boundary of the Owyhee River Wilderness established by section 1503(a)(1)(E) of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 1033) is modified to exclude certain land, as depicted on—

(A) the Bureau of Land Management map entitled “North Fork Owyhee, Pole Creek, and Owyhee River Wilderness Aerial” and dated July 19, 2016;

(B) the Bureau of Land Management map entitled “Owyhee River Wilderness Kincaid Reservoir Zoom Aerial” and dated July 19, 2016; and

(C) the Bureau of Land Management map entitled “Owyhee River Wilderness Dickshooter Road Zoom Aerial” and dated July 19, 2016.

(3) POLE CREEK WILDERNESS.—The boundary of the Pole Creek Wilderness established by section 1503(a)(1)(F) of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 1033) is modified to exclude certain land, as depicted on—

(A) the Bureau of Land Management map entitled “North Fork Owyhee, Pole Creek, and Owyhee River Wilderness Aerial” and dated July 19, 2016; and

(B) the Bureau of Land Management map entitled “Pole Creek Wilderness Pullout Zoom Aerial” and dated July 19, 2016.

(b) MAPS.—

(1) EFFECT.—The maps referred to in subsection (a) shall have the same force and effect as if included in this Act, except that the Secretary may correct minor errors in the maps.

(2) AVAILABILITY.—The maps referred to in subsection (a) shall be available in the appropriate offices of the Bureau of Land Management.

#### SEC. 1113. CHUGACH REGION LAND STUDY.

(a) DEFINITIONS.—In this section:

(1) CAC.—The term “CAC” means the Chugach Alaska Corporation.

(2) CAC LAND.—The term “CAC land” means land conveyed to CAC pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.) under which—

(A) both the surface estate and the subsurface estate were conveyed to CAC; or

(B)(i) the subsurface estate was conveyed to CAC; and

(ii) the surface estate or a conservation easement in the surface estate was acquired by the State or by the United States as part of the program.

(3) PROGRAM.—The term “program” means the Habitat Protection and Acquisition Program of the Exxon Valdez Oil Spill Trustee Council.

(4) REGION.—The term “Region” means the Chugach Region, Alaska.

(5) STUDY.—The term “study” means the study conducted under subsection (b)(1).

(b) CHUGACH REGION LAND EXCHANGE STUDY.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary, in coordination with the Secretary of Agriculture and in consultation with CAC, shall conduct a study of land ownership and use patterns in the Region.

(2) STUDY REQUIREMENTS.—The study shall—

(A) assess the social and economic impacts of the program, including impacts caused by split estate ownership patterns created by Federal acquisitions under the program, on—

(i) the Region; and

(ii) CAC and CAC land;

(B) identify sufficient acres of accessible and economically viable Federal land that can be offered in exchange for CAC land identified by CAC as available for exchange; and

(C) provide recommendations for land exchange options with CAC that would—

(i) consolidate ownership of the surface and mineral estate of Federal land under the program; and

(ii) convey to CAC Federal land identified under subparagraph (B).

(c) REPORT.—Not later than 18 months after the date of enactment of this Act, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report describing the results of the study, including—

(1) a recommendation on options for 1 or more land exchanges; and

(2) detailed information on—

(A) the acres of Federal land identified for exchange; and

(B) any other recommendations provided by the Secretary.

#### SEC. 1114. WILDFIRE TECHNOLOGY MODERNIZATION.

(a) PURPOSE.—The purpose of this section is to promote the use of the best available technology to enhance the effective and cost-efficient response to wildfires—

(1) to meet applicable protection objectives; and

(2) to increase the safety of—

- (A) firefighters; and
- (B) the public.

(b) DEFINITIONS.—In this section:

(1) SECRETARIES.—The term “Secretaries” means—

- (A) the Secretary of Agriculture; and
- (B) the Secretary.

(2) SECRETARY CONCERNED.—The term “Secretary concerned” means—

- (A) the Secretary of Agriculture, with respect to activities under the Department of Agriculture; and
- (B) the Secretary, with respect to activities under the Department of the Interior.

(c) UNMANNED AIRCRAFT SYSTEMS.—

(1) DEFINITIONS.—In this subsection, the terms “unmanned aircraft” and “unmanned aircraft system” have the meanings given those terms in section 44801 of title 49, United States Code.

(2) ESTABLISHMENT OF PROGRAM.—Not later than 180 days after the date of enactment of this Act, the Secretary, in consultation with the Secretary of Agriculture, shall establish a research, development, and testing program, or expand an applicable existing program, to assess unmanned aircraft system technologies, including optionally piloted aircraft, across the full range of wildland fire management operations in order to accelerate the deployment and integration of those technologies into the operations of the Secretaries.

(3) EXPANDING USE OF UNMANNED AIRCRAFT SYSTEMS ON WILDFIRES.—In carrying out the program established under paragraph (2), the Secretaries, in coordination with the Federal Aviation Administration, State wildland firefighting agencies, and other relevant Federal agencies, shall enter into an agreement under which the Secretaries shall develop consistent protocols and plans for the use on wildland fires of unmanned aircraft system technologies, including for the development of real-time maps of the location of wildland fires.

(d) LOCATION SYSTEMS FOR WILDLAND FIREFIGHTERS.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, subject to the availability of appropriations, the Secretaries, in coordination with State wildland firefighting agencies, shall jointly develop and operate a tracking system (referred to in this subsection as the “system”) to remotely locate the positions of fire resources for use by wildland firefighters, including, at a minimum, any fire resources assigned to Federal type 1 wildland fire incident management teams.

(2) REQUIREMENTS.—The system shall—

- (A) use the most practical and effective technology available to the Secretaries to remotely track the location of an active resource, such as a Global Positioning System;
- (B) depict the location of each fire resource on the applicable maps developed under subsection (c)(3);

(C) operate continuously during the period for which any firefighting personnel are assigned to the applicable Federal wildland fire; and

(D) be subject to such terms and conditions as the Secretary concerned determines necessary for the effective implementation of the system.

(3) OPERATION.—The Secretary concerned shall—

(A) before commencing operation of the system—

- (i) conduct not fewer than 2 pilot projects relating to the operation, management, and effectiveness of the system; and
- (ii) review the results of those pilot projects;

(B) conduct training, and maintain a culture, such that an employee, officer, or con-

tractor shall not rely on the system for safety; and

(C) establish procedures for the collection, storage, and transfer of data collected under this subsection to ensure—

- (i) data security; and
- (ii) the privacy of wildland fire personnel.

(e) WILDLAND FIRE DECISION SUPPORT.—

(1) PROTOCOL.—To the maximum extent practicable, the Secretaries shall ensure that wildland fire management activities conducted by the Secretaries, or conducted jointly by the Secretaries and State wildland firefighting agencies, achieve compliance with applicable incident management objectives in a manner that—

- (A) minimizes firefighter exposure to the lowest level necessary; and
- (B) reduces overall costs of wildfire incidents.

(2) WILDFIRE DECISION SUPPORT SYSTEM.—

(A) IN GENERAL.—The Secretaries, in coordination with State wildland firefighting agencies, shall establish a system or expand an existing system to track and monitor decisions made by the Secretaries or State wildland firefighting agencies in managing wildfires.

(B) COMPONENTS.—The system established or expanded under subparagraph (A) shall be able to alert the Secretaries if—

- (i) unusual costs are incurred;
- (ii) an action to be carried out would likely—

- (I) endanger the safety of a firefighter; or
- (II) be ineffective in meeting an applicable suppression or protection goal; or

(iii) a decision regarding the management of a wildfire deviates from—

(I) an applicable protocol established by the Secretaries, including the requirement under paragraph (1); or

(II) an applicable spatial fire management plan or fire management plan of the Secretary concerned.

(f) SMOKE PROJECTIONS FROM ACTIVE WILDLAND FIRES.—The Secretaries shall establish a program, to be known as the “Interagency Wildland Fire Air Quality Response Program”, under which the Secretary concerned—

(1) to the maximum extent practicable, shall assign 1 or more air resource advisors to a type 1 incident management team managing a Federal wildland fire; and

(2) may assign 1 or more air resource advisors to a type 2 incident management team managing a wildland fire.

(g) FIREFIGHTER INJURIES DATABASE.—

(1) IN GENERAL.—Section 9(a) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2208(a)) is amended—

(A) in paragraph (2), by inserting “, categorized by the type of fire” after “such injuries and deaths”; and

(B) in paragraph (3), by striking “activities;” and inserting the following: “activities, including—

“(A) all injuries sustained by a firefighter and treated by a doctor, categorized by the type of firefighter;

“(B) all deaths sustained while undergoing a pack test or preparing for a work capacity;

“(C) all injuries or deaths resulting from vehicle accidents; and

“(D) all injuries or deaths resulting from aircraft crashes;”.

(2) USE OF EXISTING DATA GATHERING AND ANALYSIS ORGANIZATIONS.—Section 9(b)(3) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2208(b)(3)) is amended by inserting “, including the Center for Firefighter Injury Research and Safety Trends” after “public and private”.

(3) MEDICAL PRIVACY OF FIREFIGHTERS.—Section 9 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2208) is amended by adding at the end the following:

“(e) MEDICAL PRIVACY OF FIREFIGHTERS.—The collection, storage, and transfer of any medical data collected under this section shall be conducted in accordance with—

“(1) the privacy regulations promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. 1320d–2 note; Public Law 104–191); and

“(2) other applicable regulations, including parts 160, 162, and 164 of title 45, Code of Federal Regulations (as in effect on the date of enactment of this subsection).”.

(h) RAPID RESPONSE EROSION DATABASE.—

(1) IN GENERAL.—The Secretaries, in consultation with the Administrator of the National Aeronautics and Space Administration and the Secretary of Commerce, shall establish and maintain a database, to be known as the “Rapid Response Erosion Database” (referred to in this subsection as the “Database”).

(2) OPEN-SOURCE DATABASE.—

(A) AVAILABILITY.—The Secretaries shall make the Database (including the original source code)—

- (i) web-based; and
- (ii) available without charge.

(B) COMPONENTS.—To the maximum extent practicable, the Database shall provide for—

(i) the automatic incorporation of spatial data relating to vegetation, soils, and elevation into an applicable map created by the Secretary concerned that depicts the changes in land-cover and soil properties caused by a wildland fire; and

(ii) the generation of a composite map that can be used by the Secretary concerned to model the effectiveness of treatments in the burned area to prevent flooding, erosion, and landslides under a range of weather scenarios.

(3) USE.—The Secretary concerned shall use the Database, as applicable, in developing recommendations for emergency stabilization treatments or modifications to drainage structures to protect values-at-risk following a wildland fire.

(4) COORDINATION.—The Secretaries may share the Database, and any results generated in using the Database, with any State or unit of local government.

(i) PREDICTING WHERE WILDFIRES WILL START.—

(1) IN GENERAL.—The Secretaries, in consultation with the Administrator of the National Aeronautics and Space Administration, the Secretary of Energy, and the Secretary of Commerce, through the capabilities and assets located at the National Laboratories, shall establish and maintain a system to predict the locations of future wildfires for fire-prone areas of the United States.

(2) COOPERATION; COMPONENTS.—The system established under paragraph (1) shall be based on, and seek to enhance, similar systems in existence on the date of enactment of this Act, including the Fire Danger Assessment System.

(3) USE IN FORECASTS.—Not later than 1 year after the date of enactment of this Act, the Secretaries shall use the system established under paragraph (1), to the maximum extent practicable, for purposes of developing any wildland fire potential forecasts.

(4) COORDINATION.—The Secretaries may share the system established under paragraph (1), and any results generated in using the system, with any State or unit of local government.

(j) TERMINATION OF AUTHORITY.—The authority provided by this section terminates on the date that is 10 years after the date of enactment of this Act.

(k) SAVINGS CLAUSE.—Nothing in this section—

(1) requires the Secretary concerned to establish a new program, system, or database to replace an existing program, system, or database that meets the objectives of this section; or

(2) precludes the Secretary concerned from using existing or future technology that—

(A) is more efficient, safer, or better meets the needs of firefighters, other personnel, or the public; and

(B) meets the objectives of this section.

#### SEC. 1115. MCCOY FLATS TRAIL SYSTEM.

(a) DEFINITIONS.—In this section:

(1) COUNTY.—The term “County” means Uintah County, Utah.

(2) DECISION RECORD.—The term “Decision Record” means the Decision Record prepared by the Bureau of Land Management for the Environmental Assessment for the McCoy Flats Trail System numbered DOI-BLM-G010-2012-0057 and dated October 2012.

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

(4) TRAIL SYSTEM.—The term “Trail System” means the McCoy Flats Trail System established by subsection (b)(1).

(b) ESTABLISHMENT.—

(1) IN GENERAL.—Subject to valid existing rights, there is established the McCoy Flats Trail System in the State.

(2) AREA INCLUDED.—The Trail System shall include public land administered by the Bureau of Land Management in the County, as described in the Decision Record.

(c) MAP AND LEGAL DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall prepare a map and legal description of the Trail System.

(2) AVAILABILITY; TRANSMITTAL TO CONGRESS.—The map and legal description prepared under paragraph (1) shall be—

(A) available in appropriate offices of the Bureau of Land Management; and

(B) transmitted by the Secretary to—

(i) the Committee on Natural Resources of the House of Representatives; and

(ii) the Committee on Energy and Natural Resources of the Senate.

(3) FORCE AND EFFECT.—The map and legal description prepared under paragraph (1) shall have the same force and effect as if included in this section, except that the Secretary may correct any clerical or typographical errors in the map and legal description.

(d) ADMINISTRATION.—The Secretary shall administer the Trail System in accordance with—

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

(2) this section; and

(3) other applicable law.

(e) MANAGEMENT PLAN.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary, in consultation and coordination with the County and affected Indian Tribes, shall prepare a management plan for the Trail System.

(2) PUBLIC COMMENT.—The management plan shall be developed with opportunities for public comment.

(3) INTERIM MANAGEMENT.—Until the completion of the management plan, the Trail System shall be administered in accordance with the Decision Record.

(4) RECREATIONAL OPPORTUNITIES.—In developing the management plan, the Secretary shall seek to provide for new mountain bike route and trail construction to increase recreational opportunities within the Trail System, consistent with this section.

(f) USES.—The Trail System shall be used for nonmotorized mountain bike recreation, as described in the Decision Record.

(g) ACQUISITION.—

(1) IN GENERAL.—On the request of the State, the Secretary shall seek to acquire State land, or interests in State land, located within the Trail System by purchase from a willing seller or exchange.

(2) ADMINISTRATION OF ACQUIRED LAND.—Any land acquired under this subsection shall be administered as part of the Trail System.

(h) FEES.—No fees shall be charged for access to, or use of, the Trail System and associated parking areas.

#### SEC. 1116. TECHNICAL CORRECTIONS TO CERTAIN LAWS RELATING TO FEDERAL LAND IN THE STATE OF NEVADA.

(a) AMENDMENT TO CONVEYANCE OF FEDERAL LAND IN STOREY COUNTY, NEVADA.—Section 3009(d) of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3751) is amended—

(1) in paragraph (1)—

(A) by striking subparagraphs (B) through (D) and redesignating subparagraph (E) as subparagraph (D); and

(B) by inserting after subparagraph (A) the following:

“(B) FEDERAL LAND.—The term ‘Federal land’ means the land generally depicted as ‘Federal land’ on the map.

“(C) MAP.—The term ‘map’ means the map entitled ‘Storey County Land Conveyance’ and dated June 6, 2018.”

(2) in paragraph (3)—

(A) in subparagraph (A)(i), by striking “after completing the mining claim validity review under paragraph (2)(B), if requested by the County,”; and

(B) in subparagraph (B)—

(i) in clause (i)—

(I) in the matter preceding subclause (I), by striking “each parcel of land located in a mining townsite” and inserting “any Federal land”; and

(II) in subclause (I), by striking “mining townsite” and inserting “Federal land”; and

(III) in subclause (II), by striking “mining townsite (including improvements to the mining townsite), as identified for conveyance on the map” and inserting “Federal land (including improvements)”;

(ii) by striking clause (ii);

(iii) by striking the subparagraph designation and heading and all that follows through “With respect” in the matter preceding subclause (I) of clause (i) and inserting the following:

“(B) VALID MINING CLAIMS.—With respect”;

and

(iv) by redesignating subclauses (I) and (II) as clauses (i) and (ii), respectively, and indenting appropriately;

(3) in paragraph (4)(A), by striking “a mining townsite conveyed under paragraph (3)(B)(i)(II)” and inserting “Federal land conveyed under paragraph (2)(B)(ii)”;

(4) in paragraph (5), by striking “a mining townsite under paragraph (3)” and inserting “Federal land under paragraph (2)”;

(5) in paragraph (6), in the matter preceding subparagraph (A), by striking “mining townsite” and inserting “Federal land”;

(6) in paragraph (7), by striking “A mining townsite to be conveyed by the United States under paragraph (3)” and inserting “The exterior boundary of the Federal land to be conveyed by the United States under paragraph (2)”;

(7) in paragraph (9)—

(A) by striking “a mining townsite under paragraph (3)” and inserting “the Federal land under paragraph (2)”;

(B) by striking “the mining townsite” and inserting “the Federal land”;

(8) in paragraph (10), by striking “the ex-amination” and all that follows through the period at the end and inserting “the conveyance under paragraph (2) should be com-

pleted by not later than 18 months after the date of enactment of the Natural Resources Management Act.”;

(9) by striking paragraphs (2) and (8);

(10) by redesignating paragraphs (3) through (7) and (9) and (10) as paragraphs (2) through (6) and (7) and (8) respectively; and

(11) by adding at the end the following:

“(9) AVAILABILITY OF MAP.—The map shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.”.

(b) MODIFICATION OF UTILITY CORRIDOR.—The Secretary shall realign the utility corridor established by section 301(a) of the Lincoln County Conservation, Recreation, and Development Act of 2004 (Public Law 108-424; 118 Stat. 2412) to be aligned as generally depicted on the map entitled “Proposed LCCORDA Utility Corridor Realignment” and dated March 14, 2017, by modifying the map entitled “Lincoln County Conservation, Recreation, and Development Act” (referred to in this subsection as the “Map”) and dated October 1, 2004, by—

(1) removing the utility corridor from sections 5, 6, 7, 8, 9, 10, 11, 14, and 15, T. 7 N., R. 68 E., of the Map; and

(2) redesignating the utility corridor so as to appear on the Map in—

(A) sections 31, 32, and 33, T. 8 N., R. 68 E.;

(B) sections 4, 5, 6, and 7, T. 7 N., R. 68 E.; and

(C) sections 1 and 12, T. 7 N., 67 E.

(c) FINAL CORRECTIVE PATENT IN CLARK COUNTY, NEVADA.—

(1) VALIDATION OF PATENT.—Patent number 27-2005-0081, issued by the Bureau of Land Management on February 18, 2005, is affirmed and validated as having been issued pursuant to, and in compliance with, the Nevada-Florida Land Exchange Authorization Act of 1988 (Public Law 100-275; 102 Stat. 52), the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), and the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) for the benefit of the desert tortoise, other species, and the habitat of the desert tortoise and other species to increase the likelihood of the recovery of the desert tortoise and other species.

(2) RATIFICATION OF RECONFIGURATION.—The process used by the United States Fish and Wildlife Service and the Bureau of Land Management in reconfiguring the land described in paragraph (1), as depicted on Exhibit 1-4 of the Final Environmental Impact Statement for the Planned Development Project MSHCP, Lincoln County, NV (FWS-R8-ES-2008-N0136), and the reconfiguration provided for in special condition 10 of the Corps of Engineers Permit No. 000005042, are ratified.

(d) ISSUANCE OF CORRECTIVE PATENT IN LINCOLN COUNTY, NEVADA.—

(1) IN GENERAL.—The Secretary, acting through the Director of the Bureau of Land Management, may issue a corrective patent for the 7,548 acres of land in Lincoln County, Nevada, depicted on the map prepared by the Bureau of Land Management entitled “Proposed Lincoln County Land Reconfiguration” and dated January 28, 2016.

(2) APPLICABLE LAW.—A corrective patent issued under paragraph (1) shall be treated as issued pursuant to, and in compliance with, the Nevada-Florida Land Exchange Authorization Act of 1988 (Public Law 100-275; 102 Stat. 52).

(e) CONVEYANCE TO LINCOLN COUNTY, NEVADA, TO SUPPORT A LANDFILL.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, and subject to valid existing rights, at the request of Lincoln County, Nevada, the Secretary shall convey without consideration under 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.), to Lincoln County all right, title and interest of the United States in and to approximately 400 acres of land in Lincoln County, Nevada, more particularly described as follows: T. 11 S., R. 62, E., Section 25 E ½ of W ½; and W ½ of E ½; and E ½ of SE ¼.

(2) **RESERVATION.**—The Secretary shall reserve to the United States the mineral estate in any land conveyed under paragraph (1).

(3) **USE OF CONVEYED LAND.**—The land conveyed under paragraph (1) shall be used by Lincoln County, Nevada, to provide a suitable location for the establishment of a centralized landfill and to provide a designated area and authorized facilities to discourage unauthorized dumping and trash disposal on environmentally-sensitive public land. Lincoln County may not dispose of the land conveyed under paragraph (1).

(4) **REVERSION.**—If Lincoln County, Nevada, ceases to use any parcel of land conveyed under paragraph (1) for the purposes described in paragraph (3)—

(A) title to the parcel shall revert to the Secretary, at the option of the Secretary; and

(B) Lincoln County shall be responsible for any reclamation necessary to restore the parcel to a condition acceptable to the Secretary.

(f) **MT. MORIAH WILDERNESS, HIGH SCHELLS WILDERNESS, AND ARC DOME WILDERNESS BOUNDARY ADJUSTMENTS.**—

(1) **AMENDMENTS TO THE PAM WHITE WILDERNESS ACT OF 2006.**—Section 323 of the Pam White Wilderness Act of 2006 (16 U.S.C. 1132 note; 120 Stat. 3031) is amended by striking subsection (e) and inserting the following:

“(e) **MT. MORIAH WILDERNESS ADJUSTMENT.**—The boundary of the Mt. Moriah Wilderness established under section 2(13) of the Nevada Wilderness Protection Act of 1989 (16 U.S.C. 1132 note) is adjusted to include—

“(1) the land identified as the ‘Mount Moriah Wilderness Area’ and ‘Mount Moriah Additions’ on the map entitled ‘Eastern White Pine County’ and dated November 29, 2006; and

“(2) the land identified as ‘NFS Lands’ on the map entitled ‘Proposed Wilderness Boundary Adjustment Mt. Moriah Wilderness Area’ and dated January 19, 2017.

“(f) **HIGH SCHELLS WILDERNESS ADJUSTMENT.**—The boundary of the High Schells Wilderness established under subsection (a)(11) is adjusted—

“(1) to include the land identified as ‘Include as Wilderness’ on the map entitled ‘McCoy Creek Adjustment’ and dated November 3, 2014; and

“(2) to exclude the land identified as ‘NFS Lands’ on the map entitled ‘Proposed Wilderness Boundary Adjustment High Schells Wilderness Area’ and dated January 19, 2017.”.

(2) **AMENDMENTS TO THE NEVADA WILDERNESS PROTECTION ACT OF 1989.**—The Nevada Wilderness Protection Act of 1989 (Public Law 101-195; 16 U.S.C. 1132 note) is amended by adding at the end the following:

**“SEC. 12. ARC DOME BOUNDARY ADJUSTMENT.**

“The boundary of the Arc Dome Wilderness established under section 2(2) is adjusted to exclude the land identified as ‘Exclude from Wilderness’ on the map entitled ‘Arc Dome Adjustment’ and dated November 3, 2014.”.

**SEC. 1117. ASHLEY KARST NATIONAL RECREATION AND GEOLOGIC AREA.**

(a) **DEFINITIONS.**—In this section:

(1) **MANAGEMENT PLAN.**—The term “Management Plan” means the management plan for the Recreation Area prepared under subsection (e)(2)(A).

(2) **MAP.**—The term “Map” means the map entitled “Northern Utah Lands Management Act-Overview” and dated February 4, 2019.

(3) **RECREATION AREA.**—The term “Recreation Area” means the Ashley Karst National Recreation and Geologic Area established by subsection (b)(1).

(4) **SECRETARY.**—The term “Secretary” means the Secretary of Agriculture.

(5) **STATE.**—The term “State” means the State of Utah.

(b) **ESTABLISHMENT.**—

(1) **IN GENERAL.**—Subject to valid existing rights, there is established the Ashley Karst National Recreation and Geologic Area in the State.

(2) **AREA INCLUDED.**—The Recreation Area shall consist of approximately 173,475 acres of land in the Ashley National Forest, as generally depicted on the Map.

(c) **PURPOSES.**—The purposes of the Recreation Area are to conserve and protect the watershed, geological, recreational, wildlife, scenic, natural, cultural, and historic resources of the Recreation Area.

(d) **MAP AND LEGAL DESCRIPTION.**—

(1) **IN GENERAL.**—As soon as practicable after the date of enactment of this Act, the Secretary shall prepare and submit to the Committee on Natural Resources and the Committee on Agriculture of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a map and legal description of the Recreation Area.

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

(3) **AVAILABILITY.**—A copy of the map and legal description prepared under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Forest Service.

(e) **ADMINISTRATION.**—

(1) **IN GENERAL.**—The Secretary shall administer the Recreation Area in accordance with—

(A) the laws generally applicable to the National Forest System, including the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600 et seq.);

(B) this section; and

(C) any other applicable law.

(2) **MANAGEMENT PLAN.**—

(A) **IN GENERAL.**—Not later than 2 years after the date of enactment of this Act, the Secretary shall prepare a management plan for the Recreation Area.

(B) **CONSULTATION.**—The Secretary shall—

(i) prepare the management plan in consultation and coordination with Uintah County, Utah, and affected Indian Tribes; and

(ii) provide for public input in the preparation of the management plan.

(f) **USES.**—The Secretary shall only allow such uses of the Recreation Area that would—

(1) further the purposes for which the Recreation Area is established; and

(2) promote the long-term protection and management of the watershed and underground karst system of the Recreation Area.

(g) **MOTORIZED VEHICLES.**—

(1) **IN GENERAL.**—Except as needed for emergency response or administrative purposes, the use of motorized vehicles in the Recreation Area shall be permitted only on roads and motorized routes designated in the Management Plan for the use of motorized vehicles.

(2) **NEW ROADS.**—No new permanent or temporary roads or other motorized vehicle routes shall be constructed within the Recreation Area after the date of enactment of this Act.

(3) **EXISTING ROADS.**—

(A) **IN GENERAL.**—Necessary maintenance or repairs to existing roads designated in the Management Plan for the use of motorized vehicles, including necessary repairs to keep existing roads free of debris or other safety hazards, shall be permitted after the date of enactment of this Act, consistent with the requirements of this section.

(B) **REROUTING.**—Nothing in this subsection prevents the Secretary from rerouting an existing road or trail to protect Recreation Area resources from degradation, or to protect public safety, as determined to be appropriate by the Secretary.

(4) **OVER SNOW VEHICLES.**—

(A) **IN GENERAL.**—Nothing in this section prohibits the use of snowmobiles and other over snow vehicles within the Recreation Area.

(B) **WINTER RECREATION USE PLAN.**—Not later than 2 years after the date of enactment of this Act, the Secretary shall undertake a winter recreation use planning process, which shall include opportunities for use by snowmobiles or other over snow vehicles in appropriate areas of the Recreation Area.

(5) **APPLICABLE LAW.**—Activities authorized under this subsection shall be consistent with the applicable forest plan and travel management plan for, and any law (including regulations) applicable to, the Ashley National Forest.

(h) **WATER INFRASTRUCTURE.**—

(1) **EXISTING ACCESS.**—The designation of the Recreation Area shall not affect the ability of authorized users to access, operate, and maintain water infrastructure facilities within the Recreation Area in accordance with applicable authorizations and permits.

(2) **COOPERATIVE AGREEMENTS.**—

(A) **IN GENERAL.**—The Secretary shall offer to enter into a cooperative agreement with authorized users and local governmental entities to provide, in accordance with any applicable law (including regulations)—

(i) access, including motorized access, for repair and maintenance to water infrastructure facilities within the Recreation Area, including Whiterocks Reservoir, subject to such terms and conditions as the Secretary determines to be necessary; and

(ii) access and maintenance by authorized users and local governmental entities for the continued delivery of water to the Ashley Valley if water flows cease or become diminished due to impairment of the karst system, subject to such terms and conditions as the Secretary determines to be necessary.

(i) **GRAZING.**—The grazing of livestock in the Recreation Area, where established before the date of enactment of this Act, shall be allowed to continue, subject to such reasonable regulations, policies, and practices as the Secretary considers to be necessary in accordance with—

(1) applicable law (including regulations);

(2) the purposes of the Recreation Area; and

(3) the guidelines set forth in the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 5487 of the 96th Congress (H. Rept. 96-617).

(j) **FISH AND WILDLIFE.**—Nothing in this section affects the jurisdiction of the State with respect to the management of fish and wildlife on Federal land in the State.

(k) **WILDLIFE WATER PROJECTS.**—The Secretary, in consultation with the State, may authorize wildlife water projects (including guzzlers) within the Recreation Area.

(l) **WATER RIGHTS.**—Nothing in this section—

(1) constitutes an express or implied reservation by the United States of any water rights with respect to the Recreation Area;

(2) affects any water rights in the State;



(3) affects the use or allocation, in existence on the date of enactment of this Act, of any water, water right, or interest in water;

(4) affects any vested absolute or decreed conditional water right in existence on the date of enactment of this Act, including any water right held by the United States;

(5) affects any interstate water compact in existence on the date of enactment of this Act; or

(6) shall be considered to be a relinquishment or reduction of any water rights reserved or appropriated by the United States in the State on or before the date of enactment of this Act.

(m) **WITHDRAWAL.**—Subject to valid existing rights, all Federal land in the Recreation Area is withdrawn from—

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

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

(3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(n) **VEGETATION MANAGEMENT.**—Nothing in this section prevents the Secretary from conducting vegetation management projects, including fuels reduction activities, within the Recreation Area for the purposes of improving water quality and reducing risks from wildfire.

(o) **WILDLAND FIRE OPERATIONS.**—Nothing in this section prohibits the Secretary, in consultation with other Federal, State, local, and Tribal agencies, as appropriate, from conducting wildland fire treatment operations or restoration operations in the Recreation Area, consistent with the purposes of this section.

(p) **RECREATION FEES.**—Except for fees for improved campgrounds, the Secretary is prohibited from collecting recreation entrance or recreation use fees within the Recreation Area.

(q) **COMMUNICATION INFRASTRUCTURE.**—Nothing in this section affects the continued use of, and access to, communication infrastructure (including necessary upgrades) within the Recreation Area, in accordance with applicable authorizations and permits.

(r) **NON-FEDERAL LAND.**—

(1) **IN GENERAL.**—Nothing in this section affects non-Federal land or interests in non-Federal land within the Recreation Area.

(2) **ACCESS.**—The Secretary shall provide reasonable access to non-Federal land or interests in non-Federal land within the Recreation Area.

(s) **OUTFITTING AND GUIDE ACTIVITIES.**—Outfitting and guide services within the Recreation Area, including commercial outfitting and guide services, are authorized in accordance with this section and other applicable law (including regulations).

#### SEC. 1118. JOHN WESLEY POWELL NATIONAL CONSERVATION AREA.

(a) **DEFINITIONS.**—In this section:

(1) **MAP.**—The term “Map” means the Bureau of Land Management map entitled “Proposed John Wesley Powell National Conservation Area” and dated December 10, 2018.

(2) **NATIONAL CONSERVATION AREA.**—The term “National Conservation Area” means the John Wesley Powell National Conservation Area established by subsection (b)(1).

(b) **ESTABLISHMENT.**—

(1) **IN GENERAL.**—Subject to valid existing rights, there is established the John Wesley Powell National Conservation Area in the State of Utah.

(2) **AREA INCLUDED.**—The National Conservation Area shall consist of approximately 29,868 acres of public land administered by the Bureau of Land Management as generally depicted on the Map.

(c) **PURPOSES.**—The purposes of the National Conservation Area are to conserve,

protect, and enhance for the benefit of present and future generations the nationally significant historic, cultural, natural, scientific, scenic, recreational, archaeological, educational, and wildlife resources of the National Conservation Area.

(d) **MAP AND LEGAL DESCRIPTION.**—

(1) **IN GENERAL.**—As soon as practicable after the date of enactment of this Act, the Secretary shall prepare and file a map and legal description of the National Conservation Area with the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives.

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

(3) **AVAILABILITY.**—A copy of the map and legal description shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(e) **MANAGEMENT.**—The Secretary shall manage the National Conservation Area—

(1) in a manner that conserves, protects, and enhances the resources of the National Conservation Area;

(2) in accordance with—

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

(B) this section; and

(C) any other applicable law; and

(3) as a component of the National Landscape Conservation System.

(4) **MANAGEMENT PLAN.**—

(A) **IN GENERAL.**—Not later than 2 years after the date of enactment of this Act, the Secretary shall develop a management plan for the National Conservation Area.

(B) **CONSULTATION.**—The Secretary shall prepare the management plan—

(i) in consultation and coordination with the State of Utah, Uintah County, and affected Indian Tribes; and

(ii) after providing for public input.

(f) **USES.**—The Secretary shall only allow such uses of the National Conservation Area as the Secretary determines would further the purposes for which the National Conservation is established.

(g) **ACQUISITION.**—

(1) **IN GENERAL.**—The Secretary may acquire land or interests in land within the boundaries of the National Conservation Area by purchase from a willing seller, donation, or exchange.

(2) **INCORPORATION IN NATIONAL CONSERVATION AREA.**—Any land or interest in land located inside the boundary of the National Conservation Area that is acquired by the United States after the date of enactment of this Act shall be added to and administered as part of the National Conservation Area.

(3) **STATE LAND.**—On request of the Utah School and Institutional Trust Lands Administration and, if practicable, not later than 5 years after the date of enactment of this Act, the Secretary shall seek to acquire all State-owned land within the boundaries of the National Conservation Area by exchange or purchase, subject to the appropriation of necessary funds.

(h) **MOTORIZED VEHICLES.**—

(1) **IN GENERAL.**—Subject to paragraph (2), except in cases in which motorized vehicles are needed for administrative purposes or to respond to an emergency, the use of motorized vehicles in the National Conservation Area shall be permitted only on roads designated in the management plan.

(2) **USE OF MOTORIZED VEHICLES PRIOR TO COMPLETION OF MANAGEMENT PLAN.**—Prior to completion of the management plan, the use of motorized vehicles within the National Conservation Area shall be permitted in ac-

cordance with the applicable Bureau of Land Management resource management plan.

(i) **GRAZING.**—The grazing of livestock in the National Conservation Area, where established before the date of enactment of this Act, shall be allowed to continue, subject to such reasonable regulations, policies, and practices as the Secretary considers to be necessary in accordance with—

(1) applicable law (including regulations);

(2) the purposes of the National Conservation Area; and

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

(j) **FISH AND WILDLIFE.**—Nothing in this section affects the jurisdiction of the State of Utah with respect to the management of fish and wildlife on Federal land in the State.

(k) **WILDLIFE WATER PROJECTS.**—The Secretary, in consultation with the State of Utah, may authorize wildlife water projects (including guzzlers) within the National Conservation Area.

(l) **GREATER SAGE-GROUSE CONSERVATION PROJECTS.**—Nothing in this section affects the authority of the Secretary to undertake Greater sage-grouse (*Centrocercus urophasianus*) conservation projects to maintain and improve Greater sage-grouse habitat, including the management of vegetation through mechanical means, to further the purposes of the National Conservation Area.

(m) **WATER RIGHTS.**—Nothing in this section—

(1) constitutes an express or implied reservation by the United States of any water rights with respect to the National Conservation Area;

(2) affects any water rights in the State;

(3) affects the use or allocation, in existence on the date of enactment of this Act, of any water, water right, or interest in water;

(4) affects any vested absolute or decreed conditional water right in existence on the date of enactment of this Act, including any water right held by the United States;

(5) affects any interstate water compact in existence on the date of enactment of this Act; or

(6) shall be considered to be a relinquishment or reduction of any water rights reserved or appropriated by the United States in the State on or before the date of enactment of this Act.

(n) **NO BUFFER ZONES.**—

(1) **IN GENERAL.**—Nothing in this section creates a protective perimeter or buffer zone around the National Conservation Area.

(2) **ACTIVITIES OUTSIDE NATIONAL CONSERVATION AREA.**—The fact that an authorized activity or use on land outside the National Conservation Area can be seen or heard within the National Conservation Area shall not preclude the activity or use outside the boundary of the Area.

(o) **WITHDRAWAL.**—

(1) **IN GENERAL.**—Subject to valid existing rights, all Federal land in the National Conservation Area (including any land acquired after the date of enactment of this Act) is withdrawn from—

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

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

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

(p) **VEGETATION MANAGEMENT.**—Nothing in this section prevents the Secretary from conducting vegetation management projects, including fuels reduction activities, within the National Conservation Area that are consistent with this section and that further the purposes of the National Conservation Area.

(q) **WILDLAND FIRE OPERATIONS.**—Nothing in this section prohibits the Secretary, in consultation with other Federal, State, local, and Tribal agencies, as appropriate, from conducting wildland fire prevention and restoration operations in the National Conservation Area, consistent with the purposes of this section.

(r) **RECREATION FEES.**—Except for improved campgrounds, the Secretary is prohibited from collecting recreation entrance or use fees within the National Conservation Area.

(s) **OUTFITTING AND GUIDE ACTIVITIES.**—Outfitting and guide services within the National Conservation Area, including commercial outfitting and guide services, are authorized in accordance with this section and other applicable law (including regulations).

(t) **NON-FEDERAL LAND.**—

(1) **IN GENERAL.**—Nothing in this section affects non-Federal land or interests in non-Federal land within the National Conservation Area.

(2) **REASONABLE ACCESS.**—The Secretary shall provide reasonable access to non-Federal land or interests in non-Federal land within the National Conservation Area.

(u) **RESEARCH AND INTERPRETIVE MANAGEMENT.**—The Secretary may establish programs and projects for the conduct of scientific, historical, cultural, archeological, and natural studies through the use of public and private partnerships that further the purposes of the National Conservation Area.

#### SEC. 1119. ALASKA NATIVE VIETNAM ERA VETERANS LAND ALLOTMENT.

(a) **DEFINITIONS.**—In this section:

(1) **AVAILABLE FEDERAL LAND.**—

(A) **IN GENERAL.**—The term “available Federal land” means Federal land in the State that—

(i) is vacant, unappropriated, and unreserved and is identified as available for selection under subsection (b)(5); or

(ii) has been selected by, but not yet conveyed to—

(I) the State, if the State agrees to voluntarily relinquish the selection of the Federal land for selection by an eligible individual; or

(II) a Regional Corporation or a Village Corporation, if the Regional Corporation or Village Corporation agrees to voluntarily relinquish the selection of the Federal land for selection by an eligible individual.

(B) **EXCLUSIONS.**—The term “available Federal land” does not include any Federal land in the State that is—

(i)(I) a right-of-way of the TransAlaska Pipeline; or

(II) an inner or outer corridor of such a right-of-way;

(ii) withdrawn or acquired for purposes of the Armed Forces;

(iii) under review for a pending right-of-way for a natural gas corridor;

(iv) within the Arctic National Wildlife Refuge;

(v) within a unit of the National Forest System;

(vi) designated as wilderness by Congress;

(vii) within a unit of the National Park System, a National Preserve, or a National Monument;

(viii) within a component of the National Trails System;

(ix) within a component of the National Wild and Scenic Rivers System; or

(x) within the National Petroleum Reserve-Alaska.

(2) **ELIGIBLE INDIVIDUAL.**—The term “eligible individual” means an individual who, as determined by the Secretary in accordance with subsection (c)(1), is—

(A) a Native veteran—

(i) who served in the Armed Forces during the period between August 5, 1964, and December 31, 1971; and

(ii) has not received an allotment made pursuant to—

(I) the Act of May 17, 1906 (34 Stat. 197, chapter 2469) (as in effect on December 17, 1971);

(II) section 14(h)(5) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)(5)); or

(III) section 41 of the Alaska Native Claims Settlement Act (43 U.S.C. 1629g); or

(B) is the personal representative of the estate of a deceased eligible individual described in subparagraph (A), who has been duly appointed in the appropriate Alaska State court or a registrar has qualified, acting for the benefit of the heirs of the estate of a deceased eligible individual described in subparagraph (A).

(3) **NATIVE; REGIONAL CORPORATION; VILLAGE CORPORATION.**—The terms “Native”, “Regional Corporation”, and “Village Corporation” have the meanings given those terms in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602).

(4) **STATE.**—The term “State” means the State of Alaska.

(5) **VETERAN.**—The term “veteran” has the meaning given the term in section 101 of title 38, United States Code.

(b) **ALLOTMENTS FOR ELIGIBLE INDIVIDUALS.**—

(1) **INFORMATION TO DETERMINE ELIGIBILITY.**—

(A) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Secretary of Defense, in coordination with the Secretary of Veterans Affairs, shall provide to the Secretary a list of all members of the Armed Forces who served during the period between August 5, 1964, and December 31, 1971.

(B) **USE.**—The Secretary shall use the information provided under subparagraph (A) to determine whether an individual meets the military service requirements under subsection (a)(2)(A)(i).

(C) **OUTREACH AND ASSISTANCE.**—The Secretary, in coordination with the Secretary of Veterans Affairs, shall conduct outreach, and provide assistance in applying for allotments, to eligible individuals.

(2) **REGULATIONS.**—Not later than 18 months after the date of enactment of this section, the Secretary shall promulgate regulations to carry out this subsection.

(3) **SELECTION BY ELIGIBLE INDIVIDUALS.**—

(A) **IN GENERAL.**—An eligible individual—

(i) may select 1 parcel of not less than 2.5 acres and not more than 160 acres of available Federal land; and

(ii) on making a selection pursuant to clause (i), shall submit to the Secretary an allotment selection application for the applicable parcel of available Federal land.

(B) **SELECTION PERIOD.**—An eligible individual may apply for an allotment during the 5-year period beginning on the effective date of the final regulations issued under paragraph (2).

(4) **CONFLICTING SELECTIONS.**—If 2 or more eligible individuals submit to the Secretary an allotment selection application under paragraph (3)(A)(ii) for the same parcel of available Federal land, the Secretary shall—

(A) give preference to the selection application received on the earliest date; and

(B) provide to each eligible individual the selection application of whom is rejected under subparagraph (A) an opportunity to select a substitute parcel of available Federal land.

(5) **IDENTIFICATION OF AVAILABLE FEDERAL LAND ADMINISTERED BY THE BUREAU OF LAND MANAGEMENT.**—

(A) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Secretary, in consultation with the State, Regional Corporations, and Village Corpora-

tions, shall identify Federal land administered by the Bureau of Land Management as available Federal land for allotment selection in the State by eligible individuals.

(B) **CERTIFICATION; SURVEY.**—The Secretary shall—

(i) certify that the available Federal land identified under subparagraph (A) is free of known contamination; and

(ii) survey the available Federal land identified under subparagraph (A) into aliquot parts and lots, segregating all navigable and meanderable waters and land not available for allotment selection.

(C) **MAPS.**—As soon as practicable after the date on which available Federal land is identified under subparagraph (A), the Secretary shall submit to Congress, and publish in the Federal Register, 1 or more maps depicting the identified available Federal land.

(D) **CONVEYANCES.**—Any available Federal land conveyed to an eligible individual under this paragraph shall be subject to—

(i) valid existing rights; and

(ii) the reservation of minerals to the United States.

(E) **INTENT OF CONGRESS.**—It is the intent of Congress that not later than 1 year after the date on which an eligible individual submits an allotment selection application for available Federal land that meets the requirements of this section, as determined by the Secretary, the Secretary shall issue to the eligible individual a certificate of allotment with respect to the available Federal land covered by the allotment selection application, subject to the requirements of subparagraph (D).

(c) **IDENTIFICATION OF AVAILABLE FEDERAL LAND IN UNITS OF THE NATIONAL WILDLIFE REFUGE SYSTEM.**—

(1) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Secretary shall—

(A) conduct a study to determine whether any additional Federal lands within units of the National Wildlife Refuge System in the State should be made available for allotment selection; and

(B) report the findings and conclusions of the study to Congress.

(2) **CONTENT OF THE REPORT.**—The Secretary shall include in the report required under paragraph (1)—

(A) the Secretary's determination whether Federal lands within units of the National Wildlife Refuge System in the State should be made available for allotment selection by eligible individuals; and

(B) identification of the specific areas (including maps) within units of the National Wildlife Refuge System in the State that the Secretary determines should be made available, consistent with the mission of the National Wildlife Refuge System and the specific purposes for which the unit was established, and this subsection.

(3) **FACTORS TO BE CONSIDERED.**—In determining whether Federal lands within units of the National Wildlife Refuge System in the State should be made available under paragraph (1)(A), the Secretary shall take into account—

(A) the proximity of the Federal land made available for allotment selection under subsection (b)(5) to eligible individuals;

(B) the proximity of the units of the National Wildlife Refuge System in the State to eligible individuals; and

(C) the amount of additional Federal land within units of the National Wildlife Refuge System in the State that the Secretary estimates would be necessary to make allotments available for selection by eligible individuals.

(4) **IDENTIFYING FEDERAL LAND IN UNITS OF THE NATIONAL WILDLIFE REFUGE SYSTEM.**—In identifying whether Federal lands within

units of the National Wildlife Refuge System in the State should be made available for allotment under paragraph (2)(B), the Secretary shall not identify any Federal land in a unit of the National Wildlife Refuge System—

(A) the conveyance of which, independently or as part of a group of allotments—

(i) could significantly interfere with biological, physical, cultural, scenic, recreational, natural quiet, or subsistence values of the unit of the National Wildlife Refuge System;

(ii) could obstruct access by the public or the Fish and Wildlife Service to the resource values of the unit;

(iii) could trigger development or future uses in an area that would adversely affect resource values of the surrounding National Wildlife Refuge System land;

(iv) could open an area of a unit to new access and uses that adversely affect resource values of the unit; or

(v) could interfere with the management plan of the unit;

(B) that is located within 300 feet from the shore of a navigable water body;

(C) that is not consistent with the purposes for which the unit of the National Wildlife Refuge System was established;

(D) that is designated as wilderness by Congress; or

(E) that is within the Arctic National Wildlife Refuge.

(d) **LIMITATION.**—No Federal land may be identified for selection or made available for allotment within a unit of the National Wildlife Refuge System unless it has been authorized by an Act of Congress subsequent to the date of enactment of this Act. Further, any proposed conveyance of land within a unit of the National Wildlife Refuge System must have been identified by the Secretary in accordance with subsection (c)(4) in the report to Congress required by subsection (c) and include patent provisions that the land remains subject to the laws and regulations governing the use and development of the Refuge.

#### SEC. 1120. RED RIVER GRADIENT BOUNDARY SURVEY.

(a) **DEFINITIONS.**—In this section:

(1) **AFFECTED AREA.**—

(A) **IN GENERAL.**—The term “affected area” means land along the approximately 116-mile stretch of the Red River, from its confluence with the north fork of the Red River on the west to the 98th meridian on the east.

(B) **EXCLUSIONS.**—The term “affected area” does not include the portion of the Red River within the boundary depicted on the survey prepared by the Bureau of Land Management entitled “Township 5 South, Range 14 West, of the Indian Meridian, Oklahoma, Dependent Resurvey and Survey” and dated February 28, 2006.

(2) **GRADIENT BOUNDARY SURVEY METHOD.**—The term “gradient boundary survey method” means the measurement technique used to locate the South Bank boundary line in accordance with the methodology established in *Oklahoma v. Texas*, 261 U.S. 340 (1923) (recognizing that the boundary line along the Red River is subject to change due to erosion and accretion).

(3) **LANDOWNER.**—The term “landowner” means any individual, group, association, corporation, federally recognized Indian tribe or member of such an Indian tribe, or other private or governmental legal entity that owns an interest in land in the affected area.

(4) **SECRETARY.**—The term “Secretary” means the Secretary, acting through the Director of the Bureau of Land Management.

(5) **SOUTH BANK.**—The term “South Bank” means the water-washed and relatively permanent elevation or acclivity (commonly

known as a “cut bank”) along the southerly or right side of the Red River that—

(A) separates the bed of that river from the adjacent upland, whether valley or hill; and

(B) usually serves, as specified in the fifth paragraph of *Oklahoma v. Texas*, 261 U.S. 340 (1923)—

(i) to confine the waters within the bed; and

(ii) to preserve the course of the river.

(6) **SOUTH BANK BOUNDARY LINE.**—The term “South Bank boundary line” means the boundary, with respect to title and ownership, between the States of Oklahoma and Texas identified through the gradient boundary survey method that does not impact or alter the permanent political boundary line between the States along the Red River, as outlined under article II, section B of the Red River Boundary Compact enacted by the States and consented to by Congress pursuant to Public Law 106-288 (114 Stat. 919).

(b) **SURVEY OF SOUTH BANK BOUNDARY LINE.**—

(1) **SURVEY REQUIRED.**—

(A) **IN GENERAL.**—The Secretary shall commission a survey to identify the South Bank boundary line in the affected area.

(B) **REQUIREMENTS.**—The survey shall—

(i) adhere to the gradient boundary survey method;

(ii) span the length of the affected area;

(iii) be conducted by 1 or more independent third-party surveyors that are—

(I) licensed and qualified to conduct official gradient boundary surveys; and

(II) selected by the Secretary, in consultation with—

(aa) the Texas General Land Office;

(bb) the Oklahoma Commissioners of the Land Office, in consultation with the attorney general of the State of Oklahoma; and

(cc) each affected federally recognized Indian Tribe; and

(iv) subject to the availability of appropriations, be completed not later than 2 years after the date of enactment of this Act.

(2) **APPROVAL OF THE BOUNDARY SURVEY.**—

(A) **IN GENERAL.**—Not later than 60 days after the date on which the survey or a portion of the survey under paragraph (1)(A) is completed, the Secretary shall submit the survey for approval to—

(i) the Texas General Land Office;

(ii) the Oklahoma Commissioners of the Land Office, in consultation with the attorney general of the State of Oklahoma; and

(iii) each affected federally recognized Indian Tribe.

(B) **TIMING OF APPROVAL.**—Not later than 60 days after the date on which each of the Texas General Land Office, the Oklahoma Commissioners of the Land Office, in consultation with the attorney general of the State of Oklahoma, and each affected federally recognized Indian Tribe notify the Secretary of the approval of the boundary survey or a portion of the survey by the applicable office or federally recognized Indian Tribe, the Secretary shall determine whether to approve the survey or portion of the survey, subject to subparagraph (D).

(C) **SUBMISSION OF PORTIONS OF SURVEY FOR APPROVAL.**—As portions of the survey are completed, the Secretary may submit the completed portions of the survey for approval under subparagraph (A).

(D) **WRITTEN APPROVAL.**—The Secretary shall only approve the survey, or a portion of the survey, that has the written approval of each of—

(i) the Texas General Land Office;

(ii) the Oklahoma Commissioners of the Land Office, in consultation with the attorney general of the State of Oklahoma; and

(iii) each affected federally recognized Indian Tribe.

(c) **SURVEY OF INDIVIDUAL PARCELS.**—Surveys of individual parcels in the affected area shall be conducted in accordance with the boundary survey approved under subsection (b)(2).

(d) **NOTICE AND AVAILABILITY OF SURVEY.**—Not later than 60 days after the date on which the boundary survey is approved under subsection (b)(2), the Secretary shall—

(1) publish notice of the approval of the survey in—

(A) the Federal Register; and

(B) 1 or more local newspapers; and

(2) on request, furnish to any landowner a copy of—

(A) the survey; and

(B) any field notes relating to—

(i) the individual parcel of the landowner; or

(ii) any individual parcel adjacent to the individual parcel of the landowner.

(e) **EFFECT OF SECTION.**—Nothing in this section—

(1) modifies any interest of the State of Oklahoma or Texas, or the sovereignty, property, or trust rights of any federally recognized Indian Tribe, relating to land located north of the South Bank boundary line, as established by the survey;

(2) modifies any land patented under the Act of December 22, 1928 (45 Stat. 1069, chapter 47; 43 U.S.C. 1068) (commonly known as the “Color of Title Act”), before the date of enactment of this Act;

(3) modifies or supersedes the Red River Boundary Compact enacted by the States of Oklahoma and Texas and consented to by Congress pursuant to Public Law 106-288 (114 Stat. 919);

(4) creates or reinstates any Indian reservation or any portion of such a reservation;

(5) modifies any interest or any property or trust rights of any individual Indian allottee; or

(6) alters any valid right of the State of Oklahoma or the Kiowa, Comanche, or Apache Indian tribes to the mineral interest trust fund established under the Act of June 12, 1926 (44 Stat. 740, chapter 572).

(f) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Secretary to carry out this section \$1,000,000.

#### SEC. 1121. SAN JUAN COUNTY SETTLEMENT IMPLEMENTATION.

(a) **EXCHANGE OF COAL PREFERENCE RIGHT LEASE APPLICATIONS.**—

(1) **DEFINITION OF BIDDING RIGHT.**—In this subsection, the term “bidding right” means an appropriate legal instrument or other written documentation, including an entry in an account managed by the Secretary, issued or created under subpart 3435 of title 43, Code of Federal Regulations, that may be used—

(A) in lieu of a monetary payment for 50 percent of a bonus bid for a coal lease sale under the Mineral Leasing Act (30 U.S.C. 181 et seq.); or

(B) as a monetary credit against 50 percent of any rental or royalty payments due under any Federal coal lease.

(2) **USE OF BIDDING RIGHT.**—

(A) **IN GENERAL.**—If the Secretary retires a coal preference right lease application under the Mineral Leasing Act (30 U.S.C. 181 et seq.) by issuing a bidding right in exchange for the relinquishment of the coal preference right lease application, the bidding right subsequently may be used in lieu of 50 percent of the amount owed for any monetary payment of—

(i) a bonus in a coal lease sale; or

(ii) rental or royalty under a Federal coal lease.

(B) **PAYMENT CALCULATION.**—

(i) IN GENERAL.—The Secretary shall calculate a payment of amounts owed to a relevant State under section 35(a) of the Mineral Leasing Act (30 U.S.C. 191(a)) based on the combined value of the bidding rights and amounts received.

(ii) AMOUNTS RECEIVED.—Except as provided in this paragraph, for purposes of calculating the payment of amounts owed to a relevant State under clause (i) only, a bidding right shall be considered amounts received.

(C) REQUIREMENT.—The total number of bidding rights issued by the Secretary under subparagraph (A) before October 1, 2029, shall not exceed the number of bidding rights that reflect a value equivalent to \$67,000,000.

(3) SOURCE OF PAYMENTS.—The Secretary shall make payments to the relevant State under paragraph (2) from monetary payments received by the Secretary when bidding rights are exercised under this section.

(4) TREATMENT OF PAYMENTS.—A payment to a State under this subsection shall be treated as a payment under section 35(a) of the Mineral Leasing Act (30 U.S.C. 191(a)).

(5) TRANSFERABILITY; LIMITATION.—

(A) TRANSFERABILITY.—A bidding right issued for a coal preference right lease application under the Mineral Leasing Act (30 U.S.C. 181 et seq.) shall be fully transferable to any other person.

(B) NOTIFICATION OF SECRETARY.—A person who transfers a bidding right shall notify the Secretary of the transfer by any method determined to be appropriate by the Secretary.

(C) EFFECTIVE PERIOD.—

(i) IN GENERAL.—A bidding right issued under the Mineral Leasing Act (30 U.S.C. 181 et seq.) shall terminate on the expiration of the 7-year period beginning on the date the bidding right is issued.

(ii) TOLLING OF PERIOD.—The 7-year period described in clause (i) shall be tolled during any period in which exercise of the bidding right is precluded by temporary injunctive relief granted under, or administrative, legislative, or judicial suspension of, the Federal coal leasing program.

(6) DEADLINE.—

(A) IN GENERAL.—If an existing settlement of a coal preference right lease application has not been implemented as of the date of enactment of this Act, not later than 180 days after that date of enactment, the Secretary shall complete the bidding rights valuation process in accordance with the terms of the settlement.

(B) DATE OF VALUATION.—For purposes of the valuation process under subparagraph (A), the market price of coal shall be determined as of the date of the settlement.

(b) CERTAIN LAND SELECTIONS OF THE NAVAJO NATION.—

(1) CANCELLATION OF CERTAIN SELECTIONS.—The land selections made by the Navajo Nation pursuant to Public Law 93-531 (commonly known as the “Navajo-Hopi Land Settlement Act of 1974”) (88 Stat. 1712) that are depicted on the map entitled “Navajo-Hopi Land Settlement Act Selected Lands” and dated April 2, 2015, are cancelled.

(2) AUTHORIZATION FOR NEW SELECTION.—

(A) IN GENERAL.—Subject to subparagraphs (B), (C), and (D) and paragraph (3), the Navajo Nation may make new land selections in accordance with the Act referred to in paragraph (1) to replace the land selections cancelled under that paragraph.

(B) ACREAGE CAP.—The total acreage of land selected under subparagraph (A) shall not exceed 15,000 acres of land.

(C) EXCLUSIONS.—The following land shall not be eligible for selection under subparagraph (A):

(i) Land within a unit of the National Landscape Conservation System.

(ii) Land within—

(I) the Glade Run Recreation Area;

(II) the Fossil Forest Research Natural Area; or

(III) a special management area or area of critical environmental concern identified in a land use plan developed under section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712) that is in effect on the date of enactment of this Act.

(iii) Any land subject to a lease or contract under the Mineral Leasing Act (30 U.S.C. 181 et seq.) or the Act of July 31, 1947 (commonly known as the “Materials Act of 1947”) (30 U.S.C. 601 et seq.) as of the date of the selection.

(iv) Land not under the jurisdiction of the Bureau of Land Management.

(v) Land identified as “Parcels Excluded from Selection” on the map entitled “Parcels excluded for selection under the San Juan County Settlement Implementation Act” and dated December 14, 2018.

(D) DEADLINE.—Not later than 7 years after the date of enactment of this Act, the Navajo Nation shall make all selections under subparagraph (A).

(E) WITHDRAWAL.—Any land selected by the Navajo Nation under subparagraph (A) shall be withdrawn from disposal, leasing, and development until the date on which the selected land is placed into trust for the Navajo Nation.

(3) EQUAL VALUE.—

(A) IN GENERAL.—Notwithstanding the acreage limitation in the second proviso of section 11(c) of Public Law 93-531 (commonly known as the “Navajo-Hopi Land Settlement Act of 1974”) (25 U.S.C. 640d-10(c)) and subject to paragraph (2)(B), the value of the land selected under paragraph (2)(A) and the land subject to selections cancellation under paragraph (1) shall be equal, based on appraisals conducted under subparagraph (B).

(B) APPRAISALS.—

(i) IN GENERAL.—The value of the land selected under paragraph (2)(A) and the land subject to selections cancelled under paragraph (1) shall be determined by appraisals conducted in accordance with—

(I) the Uniform Appraisal Standards for Federal Land Acquisitions; and

(II) the Uniform Standards of Professional Appraisal Practice.

(ii) TIMING.—

(I) LAND SUBJECT TO SELECTIONS CANCELLED.—Not later than 18 months after the date of enactment of this Act, the appraisal under clause (i) of the land subject to selections cancelled under paragraph (1) shall be completed.

(II) NEW SELECTIONS.—The appraisals under clause (i) of the land selected under paragraph (2)(A) shall be completed as the Navajo Nation finalizes those land selections.

(4) BOUNDARY.—For purposes of this subsection and the Act referred to in paragraph (1), the present boundary of the Navajo Reservation is depicted on the map entitled “Navajo Nation Boundary” and dated November 16, 2015.

(c) DESIGNATION OF AH-SHI-SLE-PAH WILDERNESS.—

(1) IN GENERAL.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the approximately 7,242 acres of land as generally depicted on the map entitled “San Juan County Wilderness Designations” and dated April 2, 2015, is designated as wilderness and as a component of the National Wilderness Preservation System, which shall be known as the “Ah-shi-sle-pah Wilderness” (referred to in this subsection as the “Wilderness”).

(2) MANAGEMENT.—

(A) IN GENERAL.—Subject to valid existing rights, the Wilderness shall be administered by the Director of the Bureau of Land Management in accordance with this subsection

and the Wilderness Act (16 U.S.C. 1131 et seq.), except that any reference in that Act to the effective date of that Act shall be considered to be a reference to the date of enactment of this Act.

(B) ADJACENT MANAGEMENT.—

(i) IN GENERAL.—Congress does not intend for the designation of the Wilderness to create a protective perimeter or buffer zone around the Wilderness.

(ii) NONWILDERNESS ACTIVITIES.—The fact that nonwilderness activities or uses can be seen or heard from areas within the Wilderness shall not preclude the conduct of the activities or uses outside the boundary of the Wilderness.

(C) INCORPORATION OF ACQUIRED LAND AND INTERESTS IN LAND.—Any land or interest in land that is within the boundary of the Wilderness that is acquired by the United States shall—

(i) become part of the Wilderness; and

(ii) be managed in accordance with—

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

(II) this subsection; and

(III) any other applicable laws.

(D) GRAZING.—Grazing of livestock in the Wilderness, where established before the date of enactment of this Act, shall be allowed to continue in accordance with—

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

(ii) the guidelines set forth in the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 5487 of the 96th Congress (H. Rept. 96-617).

(3) RELEASE OF WILDERNESS STUDY AREAS.—Congress finds that, for the purposes of section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)), the land within the Ah-shi-sle-pah Wilderness Study Area not designated as wilderness by this subsection has been adequately studied for wilderness designation and is no longer subject to section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)).

(d) EXPANSION OF BISTI/DE-NA-ZIN WILDERNESS.—

(1) IN GENERAL.—There is designated as wilderness and as a component of the National Wilderness Preservation System certain Federal land comprising approximately 2,250 acres, as generally depicted on the map entitled “San Juan County Wilderness Designations” and dated April 2, 2015, which is incorporated in and shall be considered to be a part of the Bisti/De-Na-Zin Wilderness.

(2) ADMINISTRATION.—Subject to valid existing rights, the land designated as wilderness by paragraph (1) shall be administered by the Director of the Bureau of Land Management (referred to in this subsection as the “Director”), in accordance with—

(A) the Wilderness Act (16 U.S.C. 1131 et seq.), except that any reference in that Act to the effective date of that Act shall be considered to be a reference to the date of enactment of this Act; and

(B) the San Juan Basin Wilderness Protection Act of 1984 (Public Law 98-603; 98 Stat. 3155; 110 Stat. 4211).

(3) ADJACENT MANAGEMENT.—

(A) IN GENERAL.—Congress does not intend for the designation of the land as wilderness by paragraph (1) to create a protective perimeter or buffer zone around that land.

(B) NONWILDERNESS ACTIVITIES.—The fact that nonwilderness activities or uses can be seen or heard from areas within the land designated as wilderness by paragraph (1) shall not preclude the conduct of the activities or uses outside the boundary of that land.

(4) INCORPORATION OF ACQUIRED LAND AND INTERESTS IN LAND.—Any land or interest in land that is within the boundary of the land

designated as wilderness by paragraph (1) that is acquired by the United States shall—

(A) become part of the Bisti/De-Na-Zin Wilderness; and

(B) be managed in accordance with—

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

(ii) the San Juan Basin Wilderness Protection Act of 1984 (Public Law 98-603; 98 Stat. 3155; 110 Stat. 4211);

(iii) this subsection; and

(iv) any other applicable laws.

(5) **GRAZING.**—Grazing of livestock in the land designated as wilderness by paragraph (1), where established before the date of enactment of this Act, shall be allowed to continue in accordance with—

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

(B) the guidelines set forth in the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 5487 of the 96th Congress (H. Rept. 96-617).

(e) **ROAD MAINTENANCE.**—

(1) **IN GENERAL.**—Subject to paragraph (2), the Secretary, acting through the Director of the Bureau of Indian Affairs, shall ensure that L-54 between I-40 and Alamo, New Mexico, is maintained in a condition that is safe for motorized use.

(2) **USE OF FUNDS.**—In carrying out paragraph (1), the Secretary and the Director of the Bureau of Indian Affairs may not require any Indian Tribe to use any funds—

(A) owned by the Indian Tribe; or

(B) provided to the Indian Tribe pursuant to a contract under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304 et seq.).

(3) **ROAD UPGRADE.**—

(A) **IN GENERAL.**—Nothing in this subsection requires the Secretary or any Indian Tribe to upgrade the condition of L-54 as of the date of enactment of this Act.

(B) **WRITTEN AGREEMENT.**—An upgrade to L-54 may not be made without the written agreement of the Pueblo of Laguna.

(4) **INVENTORY.**—Nothing in this subsection requires L-54 to be placed on the National Tribal Transportation Facility Inventory.

#### **SEC. 1122. RIO PUERCO WATERSHED MANAGEMENT PROGRAM.**

(a) **REAUTHORIZATION OF THE RIO PUERCO MANAGEMENT COMMITTEE.**—Section 401(b)(4) of division I of the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104-333; 110 Stat. 4147; 123 Stat. 1108) is amended by striking “Omnibus Public Land Management Act of 2009” and inserting “Natural Resources Management Act”.

(b) **REAUTHORIZATION OF THE RIO PUERCO WATERSHED MANAGEMENT PROGRAM.**—Section 401(e) of division I of the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104-333; 110 Stat. 4148; 123 Stat. 1108) is amended by striking “Omnibus Public Land Management Act of 2009” and inserting “Natural Resources Management Act”.

#### **SEC. 1123. ASHLEY SPRINGS LAND CONVEYANCE.**

(a) **CONVEYANCE.**—Subject to valid existing rights, at the request of Uintah County, Utah (referred to in this section as the “County”), the Secretary shall convey to the County, without consideration, the approximately 791 acres of public land administered by the Bureau of Land Management, as generally depicted on the map entitled “Ashley Springs Property” and dated February 4, 2019, subject to the following restrictions:

(1) The conveyed land shall be managed as open space to protect the watershed and underground karst system and aquifer.

(2) Mining or any form of mineral development on the conveyed land is prohibited.

(3) The County shall allow for non-motorized public recreation access on the conveyed land.

(4) No new roads may be constructed on the conveyed land.

(b) **REVERSION.**—A conveyance under subsection (a) shall include a reversionary clause to ensure that management of the land described in that subsection shall revert to the Secretary if the land is no longer being managed in accordance with that subsection.

#### **Subtitle C—Wilderness Designations and Withdrawals**

##### **PART I—GENERAL PROVISIONS**

#### **SEC. 1201. ORGAN MOUNTAINS-DESERT PEAKS CONSERVATION.**

(a) **DEFINITIONS.**—In this section:

(1) **MONUMENT.**—The term “Monument” means the Organ Mountains-Desert Peaks National Monument established by Presidential Proclamation 9131 (79 Fed. Reg. 30431).

(2) **STATE.**—The term “State” means the State of New Mexico.

(3) **WILDERNESS AREA.**—The term “wilderness area” means a wilderness area designated by subsection (b)(1).

(b) **DESIGNATION OF WILDERNESS AREAS.**—

(1) **IN GENERAL.**—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness and as components of the National Wilderness Preservation System:

(A) **ADEN LAVA FLOW WILDERNESS.**—Certain land administered by the Bureau of Land Management in Doña Ana County comprising approximately 27,673 acres, as generally depicted on the map entitled “Potrillos Mountains Complex” and dated September 27, 2018, which shall be known as the “Aden Lava Flow Wilderness”.

(B) **BROAD CANYON WILDERNESS.**—Certain land administered by the Bureau of Land Management in Doña Ana County comprising approximately 13,902 acres, as generally depicted on the map entitled “Desert Peaks Complex” and dated October 1, 2018, which shall be known as the “Broad Canyon Wilderness”.

(C) **CINDER CONE WILDERNESS.**—Certain land administered by the Bureau of Land Management in Doña Ana County comprising approximately 16,935 acres, as generally depicted on the map entitled “Potrillos Mountains Complex” and dated September 27, 2018, which shall be known as the “Cinder Cone Wilderness”.

(D) **EAST POTRILLO MOUNTAINS WILDERNESS.**—Certain land administered by the Bureau of Land Management in Doña Ana and Luna counties comprising approximately 12,155 acres, as generally depicted on the map entitled “Potrillos Mountains Complex” and dated September 27, 2018, which shall be known as the “East Potrillos Mountains Wilderness”.

(E) **MOUNT RILEY WILDERNESS.**—Certain land administered by the Bureau of Land Management in Doña Ana and Luna counties comprising approximately 8,382 acres, as generally depicted on the map entitled “Potrillos Mountains Complex” and dated September 27, 2018, which shall be known as the “Mount Riley Wilderness”.

(F) **ORGAN MOUNTAINS WILDERNESS.**—Certain land administered by the Bureau of Land Management in Doña Ana County comprising approximately 19,916 acres, as generally depicted on the map entitled “Organ Mountains Area” and dated September 21, 2016, which shall be known as the “Organ Mountains Wilderness”, the boundary of which shall be offset 400 feet from the centerline of Dripping Springs Road in T. 23 S., R. 04 E., sec. 7, New Mexico Principal Meridian.

(G) **POTRILLO MOUNTAINS WILDERNESS.**—Certain land administered by the Bureau of

Land Management in Doña Ana and Luna counties comprising approximately 105,085 acres, as generally depicted on the map entitled “Potrillos Mountains Complex” and dated September 27, 2018, which shall be known as the “Potrillos Mountains Wilderness”.

(H) **ROBLEDO MOUNTAINS WILDERNESS.**—Certain land administered by the Bureau of Land Management in Doña Ana County comprising approximately 16,776 acres, as generally depicted on the map entitled “Desert Peaks Complex” and dated October 1, 2018, which shall be known as the “Robledo Mountains Wilderness”.

(I) **SIERRA DE LAS UVAS WILDERNESS.**—Certain land administered by the Bureau of Land Management in Doña Ana County comprising approximately 11,114 acres, as generally depicted on the map entitled “Desert Peaks Complex” and dated October 1, 2018, which shall be known as the “Sierra de las Uvas Wilderness”.

(J) **WHITETHORN WILDERNESS.**—Certain land administered by the Bureau of Land Management in Doña Ana and Luna counties comprising approximately 9,616 acres, as generally depicted on the map entitled “Potrillos Mountains Complex” and dated September 27, 2018, which shall be known as the “Whitethorn Wilderness”.

(2) **MAPS AND LEGAL DESCRIPTIONS.**—

(A) **IN GENERAL.**—As soon as practicable after the date of enactment of this Act, the Secretary shall file maps and legal descriptions of the wilderness areas with—

(i) the Committee on Energy and Natural Resources of the Senate; and

(ii) the Committee on Natural Resources of the House of Representatives.

(B) **FORCE OF LAW.**—The maps and legal descriptions filed under subparagraph (A) shall have the same force and effect as if included in this section, except that the Secretary may correct errors in the maps and legal descriptions.

(C) **PUBLIC AVAILABILITY.**—The maps and legal descriptions filed under subparagraph (A) shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(3) **MANAGEMENT.**—Subject to valid existing rights, the wilderness areas shall be administered by the Secretary—

(A) as components of the National Landscape Conservation System; and

(B) in accordance with—

(i) this section; and

(ii) the Wilderness Act (16 U.S.C. 1131 et seq.), except that—

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

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

(4) **INCORPORATION OF ACQUIRED LAND AND INTERESTS IN LAND.**—Any land or interest in land that is within the boundary of a wilderness area that is acquired by the United States shall—

(A) become part of the wilderness area within the boundaries of which the land is located; and

(B) be managed in accordance with—

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

(ii) this section; and

(iii) any other applicable laws.

(5) **GRAZING.**—Grazing of livestock in the wilderness areas, where established before the date of enactment of this Act, shall be administered in accordance with—

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

(B) the guidelines set forth in Appendix A of the Report of the Committee on Interior

and Insular Affairs to accompany H.R. 2570 of the 101st Congress (H. Rept. 101-405).

(6) **MILITARY OVERFLIGHTS.**—Nothing in this subsection restricts or precludes—

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

(B) the designation of new units of special airspace over the wilderness areas; or

(C) the use or establishment of military flight training routes over the wilderness areas.

(7) **BUFFER ZONES.**—

(A) **IN GENERAL.**—Nothing in this subsection creates a protective perimeter or buffer zone around any wilderness area.

(B) **ACTIVITIES OUTSIDE WILDERNESS AREAS.**—The fact that an activity or use on land outside any wilderness area can be seen or heard within the wilderness area shall not preclude the activity or use outside the boundary of the wilderness area.

(8) **PARAGLIDING.**—The use of paragliding within areas of the East Potrillo Mountains Wilderness designated by paragraph (1)(D) in which the use has been established before the date of enactment of this Act, shall be allowed to continue in accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)), subject to any terms and conditions that the Secretary determines to be necessary.

(9) **CLIMATOLOGIC DATA COLLECTION.**—Subject to such terms and conditions as the Secretary may prescribe, nothing in this section precludes the installation and maintenance of hydrologic, meteorologic, or climatologic collection devices in wilderness areas if the facilities and access to the facilities are essential to flood warning, flood control, or water reservoir operation activities.

(10) **FISH AND WILDLIFE.**—Nothing in this section affects the jurisdiction of the State with respect to fish and wildlife located on public land in the State, except that the Secretary, after consultation with the New Mexico Department of Game and Fish, may designate zones where, and establish periods during which, no hunting or fishing shall be permitted for reasons of public safety, administration, or compliance with applicable law.

(11) **WITHDRAWALS.**—

(A) **IN GENERAL.**—Subject to valid existing rights, the Federal land within the wilderness areas and any land or interest in land that is acquired by the United States in the wilderness areas after the date of enactment of this Act is withdrawn from—

(i) entry, appropriation, or disposal under the public land laws;

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

(iii) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(B) **PARCEL B.**—The approximately 6,498 acres of land generally depicted as “Parcel B” on the map entitled “Organ Mountains Area” and dated September 21, 2016, is withdrawn in accordance with subparagraph (A), except that the land is not withdrawn for purposes of the issuance of oil and gas pipeline or road rights-of-way.

(C) **PARCEL C.**—The approximately 1,297 acres of land generally depicted as “Parcel C” on the map entitled “Organ Mountains Area” and dated September 21, 2016, is withdrawn in accordance with subparagraph (A), except that the land is not withdrawn from disposal under the Act of June 14, 1926 (commonly known as the “Recreation and Public Purposes Act”) (43 U.S.C. 869 et seq.).

(D) **PARCEL D.**—

(i) **IN GENERAL.**—The Secretary of the Army shall allow for the conduct of certain recreational activities on the approximately 2,035 acres of land generally depicted as

“Parcel D” on the map entitled “Organ Mountains Area” and dated September 21, 2016 (referred to in this paragraph as the “parcel”), which is a portion of the public land withdrawn and reserved for military purposes by Public Land Order 833 dated May 21, 1952 (17 Fed. Reg. 4822).

(ii) **OUTDOOR RECREATION PLAN.**—

(I) **IN GENERAL.**—The Secretary of the Army shall develop a plan for public outdoor recreation on the parcel that is consistent with the primary military mission of the parcel.

(II) **REQUIREMENT.**—In developing the plan under subclause (I), the Secretary of the Army shall ensure, to the maximum extent practicable, that outdoor recreation activities may be conducted on the parcel, including hunting, hiking, wildlife viewing, and camping.

(iii) **CLOSURES.**—The Secretary of the Army may close the parcel or any portion of the parcel to the public as the Secretary of the Army determines to be necessary to protect—

(I) public safety; or

(II) the safety of the military members training on the parcel.

(iv) **TRANSFER OF ADMINISTRATIVE JURISDICTION; WITHDRAWAL.**—

(I) **IN GENERAL.**—On a determination by the Secretary of the Army that military training capabilities, personnel safety, and installation security would not be hindered as a result of the transfer to the Secretary of administrative jurisdiction over the parcel, the Secretary of the Army shall transfer to the Secretary administrative jurisdiction over the parcel.

(II) **WITHDRAWAL.**—On transfer of the parcel under subclause (I), the parcel shall be—

(aa) under the jurisdiction of the Director of the Bureau of Land Management; and

(bb) withdrawn from—

(AA) entry, appropriation, or disposal under the public land laws;

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

(CC) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(III) **RESERVATION.**—On transfer under subclause (I), the parcel shall be reserved for management of the resources of, and military training conducted on, the parcel in accordance with a memorandum of understanding entered into under clause (v).

(v) **MEMORANDUM OF UNDERSTANDING RELATING TO MILITARY TRAINING.**—

(I) **IN GENERAL.**—If, after the transfer of the parcel under clause (iv)(I), the Secretary of the Army requests that the Secretary enter into a memorandum of understanding, the Secretary shall enter into a memorandum of understanding with the Secretary of the Army providing for the conduct of military training on the parcel.

(II) **REQUIREMENTS.**—The memorandum of understanding entered into under subclause (I) shall—

(aa) address the location, frequency, and type of training activities to be conducted on the parcel;

(bb) provide to the Secretary of the Army access to the parcel for the conduct of military training;

(cc) authorize the Secretary or the Secretary of the Army to close the parcel or a portion of the parcel to the public as the Secretary or the Secretary of the Army determines to be necessary to protect—

(AA) public safety; or

(BB) the safety of the military members training; and

(dd) to the maximum extent practicable, provide for the protection of natural, historic, and cultural resources in the area of the parcel.

(vi) **MILITARY OVERFLIGHTS.**—Nothing in this subparagraph restricts or precludes—

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

(II) the designation of new units of special airspace over the parcel; or

(III) the use or establishment of military flight training routes over the parcel.

(12) **ROBLEDO MOUNTAINS.**—

(A) **IN GENERAL.**—The Secretary shall manage the Federal land described in subparagraph (B) in a manner that preserves the character of the land for the future inclusion of the land in the National Wilderness Preservation System.

(B) **LAND DESCRIPTION.**—The land referred to in subparagraph (A) is certain land administered by the Bureau of Land Management, comprising approximately 100 acres as generally depicted as “Lookout Peak Communication Site” on the map entitled “Desert Peaks Complex” and dated October 1, 2018.

(C) **USES.**—The Secretary shall permit only such uses on the land described in subparagraph (B) as were permitted on the date of enactment of this Act.

(13) **RELEASE OF WILDERNESS STUDY AREAS.**—Congress finds that, for purposes of section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)), the public land in Doña Ana County administered by the Bureau of Land Management not designated as wilderness by paragraph (1) or described in paragraph (12)—

(A) has been adequately studied for wilderness designation;

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

(C) shall be managed in accordance with—

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

(ii) this section; and

(iii) any other applicable laws.

(14) **PRIVATE LAND.**—In accordance with section 5 of the Wilderness Act (16 U.S.C. 1134), the Secretary shall ensure adequate access to non-Federal land located within the boundary of a wilderness area.

(c) **BORDER SECURITY.**—

(1) **IN GENERAL.**—Nothing in this section—

(A) prevents the Secretary of Homeland Security from undertaking law enforcement and border security activities, in accordance with section 4(c) of the Wilderness Act (16 U.S.C. 1133(c)), within the wilderness areas, including the ability to use motorized access within a wilderness area while in pursuit of a suspect;

(B) affects the 2006 Memorandum of Understanding among the Department of Homeland Security, the Department of the Interior, and the Department of Agriculture regarding cooperative national security and counterterrorism efforts on Federal land along the borders of the United States; or

(C) prevents the Secretary of Homeland Security from conducting any low-level overflights over the wilderness areas that may be necessary for law enforcement and border security purposes.

(2) **WITHDRAWAL AND ADMINISTRATION OF CERTAIN AREA.**—

(A) **WITHDRAWAL.**—The area identified as “Parcel A” on the map entitled “Potrillo Mountains Complex” and dated September 27, 2018, is withdrawn in accordance with subsection (b)(1)(A).

(B) **ADMINISTRATION.**—Except as provided in subparagraphs (C) and (D), the Secretary shall administer the area described in subparagraph (A) in a manner that, to the maximum extent practicable, protects the wilderness character of the area.

(C) **USE OF MOTOR VEHICLES.**—The use of motor vehicles, motorized equipment, and



mechanical transport shall be prohibited in the area described in subparagraph (A) except as necessary for—

(i) the administration of the area (including the conduct of law enforcement and border security activities in the area); or

(ii) grazing uses by authorized permittees.

(D) EFFECT OF SUBSECTION.—Nothing in this paragraph precludes the Secretary from allowing within the area described in subparagraph (A) the installation and maintenance of communication or surveillance infrastructure necessary for law enforcement or border security activities.

(3) RESTRICTED ROUTE.—The route excluded from the Potrillo Mountains Wilderness identified as “Restricted—Administrative Access” on the map entitled “Potrillo Mountains Complex” and dated September 27, 2018, shall be—

(A) closed to public access; but

(B) available for administrative and law enforcement uses, including border security activities.

(d) ORGAN MOUNTAINS-DESERT PEAKS NATIONAL MONUMENT.—

(1) MANAGEMENT PLAN.—In preparing and implementing the management plan for the Monument, the Secretary shall include a watershed health assessment to identify opportunities for watershed restoration.

(2) INCORPORATION OF ACQUIRED STATE TRUST LAND AND INTERESTS IN STATE TRUST LAND.—

(A) IN GENERAL.—Any land or interest in land that is within the State trust land described in subparagraph (B) that is acquired by the United States shall—

(i) become part of the Monument; and

(ii) be managed in accordance with—

(I) Presidential Proclamation 9131 (79 Fed. Reg. 30431);

(II) this section; and

(III) any other applicable laws.

(B) DESCRIPTION OF STATE TRUST LAND.—The State trust land referred to in subparagraph (A) is the State trust land in T. 22 S., R. 01 W., New Mexico Principal Meridian and T. 22 S., R. 02 W., New Mexico Principal Meridian.

(3) LAND EXCHANGES.—

(A) IN GENERAL.—Subject to subparagraphs (C) through (F), the Secretary shall attempt to enter into an agreement to initiate an exchange under section 2201.1 of title 43, Code of Federal Regulations (or successor regulations), with the Commissioner of Public Lands of New Mexico, by the date that is 18 months after the date of enactment of this Act, to provide for a conveyance to the State of all right, title, and interest of the United States in and to Bureau of Land Management land in the State identified under subparagraph (B) in exchange for the conveyance by the State to the Secretary of all right, title, and interest of the State in and to parcels of State trust land within the boundary of the Monument identified under that subparagraph or described in paragraph (2)(B).

(B) IDENTIFICATION OF LAND FOR EXCHANGE.—The Secretary and the Commissioner of Public Lands of New Mexico shall jointly identify the Bureau of Land Management land and State trust land eligible for exchange under this paragraph, the exact acreage and legal description of which shall be determined by surveys approved by the Secretary and the New Mexico State Land Office.

(C) APPLICABLE LAW.—A land exchange under subparagraph (A) shall be carried out in accordance with section 206 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716).

(D) CONDITIONS.—A land exchange under subparagraph (A) shall be subject to—

(i) valid existing rights; and

(ii) such terms as the Secretary and the State shall establish.

(E) VALUATION, APPRAISALS, AND EQUALIZATION.—

(i) IN GENERAL.—The value of the Bureau of Land Management land and the State trust land to be conveyed in a land exchange under this paragraph—

(I) shall be equal, as determined by appraisals conducted in accordance with clause (ii); or

(II) if not equal, shall be equalized in accordance with clause (iii).

(ii) APPRAISALS.—

(I) IN GENERAL.—The Bureau of Land Management land and State trust land to be exchanged under this paragraph shall be appraised by an independent, qualified appraiser that is agreed to by the Secretary and the State.

(II) REQUIREMENTS.—An appraisal under subclause (I) shall be conducted in accordance with—

(aa) the Uniform Appraisal Standards for Federal Land Acquisitions; and

(bb) the Uniform Standards of Professional Appraisal Practice.

(iii) EQUALIZATION.—

(I) IN GENERAL.—If the value of the Bureau of Land Management land and the State trust land to be conveyed in a land exchange under this paragraph is not equal, the value may be equalized by—

(aa) making a cash equalization payment to the Secretary or to the State, as appropriate, in accordance with section 206(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(b)); or

(bb) reducing the acreage of the Bureau of Land Management land or State trust land to be exchanged, as appropriate.

(II) CASH EQUALIZATION PAYMENTS.—Any cash equalization payments received by the Secretary under subclause (I)(aa) shall be—

(aa) deposited in the Federal Land Disposal Account established by section 206(a) of the Federal Land Transaction Facilitation Act (43 U.S.C. 2305(a)); and

(bb) used in accordance with that Act.

(F) LIMITATION.—No exchange of land shall be conducted under this paragraph unless mutually agreed to by the Secretary and the State.

#### SEC. 1202. CERRO DEL YUTA AND RÍO SAN ANTONIO WILDERNESS AREAS.

(a) DEFINITIONS.—In this section:

(1) MAP.—The term “map” means the map entitled “Río Grande del Norte National Monument Proposed Wilderness Areas” and dated July 28, 2015.

(2) WILDERNESS AREA.—The term “wilderness area” means a wilderness area designated by subsection (b)(1).

(b) DESIGNATION OF CERRO DEL YUTA AND RÍO SAN ANTONIO WILDERNESS AREAS.—

(1) IN GENERAL.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the Río Grande del Norte National Monument are designated as wilderness and as components of the National Wilderness Preservation System:

(A) CERRO DEL YUTA WILDERNESS.—Certain land administered by the Bureau of Land Management in Taos County, New Mexico, comprising approximately 13,420 acres as generally depicted on the map, which shall be known as the “Cerro del Yuta Wilderness”.

(B) RÍO SAN ANTONIO WILDERNESS.—Certain land administered by the Bureau of Land Management in Río Arriba County, New Mexico, comprising approximately 8,120 acres, as generally depicted on the map, which shall be known as the “Río San Antonio Wilderness”.

(2) MANAGEMENT OF WILDERNESS AREAS.—Subject to valid existing rights, the wilderness areas shall be administered in accord-

ance with the Wilderness Act (16 U.S.C. 1131 et seq.) and this section, except that with respect to the wilderness areas designated by this section—

(A) any reference to the effective date of the Wilderness Act shall be considered to be a reference to the date of enactment of this Act; and

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

(3) INCORPORATION OF ACQUIRED LAND AND INTERESTS IN LAND.—Any land or interest in land within the boundary of the wilderness areas that is acquired by the United States shall—

(A) become part of the wilderness area in which the land is located; and

(B) be managed in accordance with—

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

(ii) this section; and

(iii) any other applicable laws.

(4) GRAZING.—Grazing of livestock in the wilderness areas, where established before the date of enactment of this Act, shall be administered in accordance with—

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

(B) the guidelines set forth in appendix A of the Report of the Committee on Interior and Insular Affairs to accompany H.R. 2570 of the 101st Congress (H. Rept. 101-405).

(5) BUFFER ZONES.—

(A) IN GENERAL.—Nothing in this section creates a protective perimeter or buffer zone around the wilderness areas.

(B) ACTIVITIES OUTSIDE WILDERNESS AREAS.—The fact that an activity or use on land outside a wilderness area can be seen or heard within the wilderness area shall not preclude the activity or use outside the boundary of the wilderness area.

(6) RELEASE OF WILDERNESS STUDY AREAS.—Congress finds that, for purposes of section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)), the public land within the San Antonio Wilderness Study Area not designated as wilderness by this section—

(A) has been adequately studied for wilderness designation;

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

(C) shall be managed in accordance with this section.

(7) MAPS AND LEGAL DESCRIPTIONS.—

(A) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall file the map and legal descriptions of the wilderness areas with—

(i) the Committee on Energy and Natural Resources of the Senate; and

(ii) the Committee on Natural Resources of the House of Representatives.

(B) FORCE OF LAW.—The map and legal descriptions filed under subparagraph (A) shall have the same force and effect as if included in this section, except that the Secretary may correct errors in the legal description and map.

(C) PUBLIC AVAILABILITY.—The map and legal descriptions filed under subparagraph (A) shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(8) NATIONAL LANDSCAPE CONSERVATION SYSTEM.—The wilderness areas shall be administered as components of the National Landscape Conservation System.

(9) FISH AND WILDLIFE.—Nothing in this section affects the jurisdiction of the State of New Mexico with respect to fish and wildlife located on public land in the State.

(10) WITHDRAWALS.—Subject to valid existing rights, any Federal land within the wilderness areas designated by paragraph (1),

including any land or interest in land that is acquired by the United States after the date of enactment of this Act, is withdrawn from—

(A) entry, appropriation, or disposal under the public land laws;

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

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

(1) **TREATY RIGHTS.**—Nothing in this section enlarges, diminishes, or otherwise modifies any treaty rights.

**SEC. 1203. METHOW VALLEY, WASHINGTON, FEDERAL LAND WITHDRAWAL.**

(a) **DEFINITION OF MAP.**—In this section, the term “Map” means the Forest Service map entitled “Methow Headwaters Withdrawal Proposal Legislative Map” and dated May 24, 2016.

(b) **WITHDRAWAL.**—Subject to valid existing rights, the approximately 340,079 acres of Federal land and interests in the land located in the Okanogan-Wenatchee National Forest within the area depicted on the Map as “Proposed Withdrawal” is withdrawn from all forms of—

(1) entry, appropriation, or disposal under the public land laws;

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

(3) disposition under the mineral leasing and geothermal leasing laws.

(c) **ACQUIRED LAND.**—Any land or interest in land within the area depicted on the Map as “Proposed Withdrawal” that is acquired by the United States after the date of enactment of this Act shall, on acquisition, be immediately withdrawn in accordance with this section.

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

**SEC. 1204. EMIGRANT CREVICE WITHDRAWAL.**

(a) **DEFINITION OF MAP.**—In this section, the term “map” means the map entitled “Emigrant Crevise Proposed Withdrawal Area” and dated November 10, 2016.

(b) **WITHDRAWAL.**—Subject to valid existing rights in existence on the date of enactment of this Act, the National Forest System land and interests in the National Forest System land, as depicted on the map, is withdrawn from—

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

(2) disposition under all laws pertaining to mineral and geothermal leasing.

(c) **ACQUIRED LAND.**—Any land or interest in land within the area depicted on the map that is acquired by the United States after the date of enactment of this Act shall, on acquisition, be immediately withdrawn in accordance with this section.

(d) **MAP.**—

(1) **SUBMISSION OF MAP.**—As soon as practicable after the date of enactment of this Act, the Secretary of Agriculture shall file the map with—

(A) the Committee on Energy and Natural Resources of the Senate; and

(B) the Committee on Natural Resources of the House of Representatives.

(2) **FORCE OF LAW.**—The map filed under paragraph (1) shall have the same force and effect as if included in this section, except that the Secretary of Agriculture may correct clerical and typographical errors in the map.

(3) **PUBLIC AVAILABILITY.**—The map filed under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Forest Service and the Bureau of Land Management.

(e) **EFFECT.**—Nothing in this section affects any recreational use, including hunting or

fishing, that is authorized on land within the area depicted on the map under applicable law as of the date of enactment of this Act.

**SEC. 1205. OREGON WILDLANDS.**

(a) **WILD AND SCENIC RIVER ADDITIONS, DESIGNATIONS AND TECHNICAL CORRECTIONS.**—

(1) **ADDITIONS TO ROGUE WILD AND SCENIC RIVER.**—

(A) **IN GENERAL.**—Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by striking paragraph (5) and inserting the following:

“(5) **ROGUE, OREGON.**—

“(A) **IN GENERAL.**—The segment of the river extending from the mouth of the Applegate River downstream to the Lobster Creek Bridge, to be administered by the Secretary of the Interior or the Secretary of Agriculture, as agreed to by the Secretaries of the Interior and Agriculture or as directed by the President.

“(B) **ADDITIONS.**—In addition to the segment described in subparagraph (A), there are designated the following segments in the Rogue River:

“(i) **KELSEY CREEK.**—The approximately 6.8-mile segment of Kelsey Creek from the Wild Rogue Wilderness boundary in T. 32 S., R. 9 W., sec. 25, Willamette Meridian, to the confluence with the Rogue River, as a wild river.

“(ii) **EAST FORK KELSEY CREEK.**—

“(I) **SCENIC RIVER.**—The approximately 0.2-mile segment of East Fork Kelsey Creek from headwaters downstream to the Wild Rogue Wilderness boundary in T. 33 S., R. 8 W., sec. 5, Willamette Meridian, as a scenic river.

“(II) **WILD RIVER.**—The approximately 4.6-mile segment of East Fork Kelsey Creek from the Wild Rogue Wilderness boundary in T. 33 S., R. 8 W., sec. 5, Willamette Meridian, to the confluence with Kelsey Creek, as a wild river.

“(iii) **WHISKY CREEK.**—

“(I) **RECREATIONAL RIVER.**—The approximately 1.6-mile segment of Whisky Creek from the confluence of the East Fork and West Fork to the south boundary of the non-Federal land in T. 33 S., R. 8 W., sec. 17, Willamette Meridian, as a recreational river.

“(II) **WILD RIVER.**—The approximately 1.2-mile segment of Whisky Creek from road 33-8-23 to the confluence with the Rogue River, as a wild river.

“(iv) **EAST FORK WHISKY CREEK.**—

“(I) **SCENIC RIVER.**—The approximately 0.9-mile segment of East Fork Whisky Creek from its headwaters to Wild Rogue Wilderness boundary in T. 33 S., R. 8 W., sec. 11, Willamette Meridian, as a scenic river.

“(II) **WILD RIVER.**—The approximately 2.6-mile segment of East Fork Whisky Creek from the Wild Rogue Wilderness boundary in T. 33 S., R. 8 W., sec. 11, Willamette Meridian, downstream to road 33-8-26 crossing, as a wild river.

“(III) **RECREATIONAL RIVER.**—The approximately 0.3-mile segment of East Fork Whisky Creek from road 33-8-26 to the confluence with Whisky Creek, as a recreational river.

“(v) **WEST FORK WHISKY CREEK.**—The approximately 4.8-mile segment of West Fork Whisky Creek from its headwaters to the confluence with the East Fork Whisky Creek, as a wild river.

“(vi) **BIG WINDY CREEK.**—

“(I) **SCENIC RIVER.**—The approximately 1.5-mile segment of Big Windy Creek from its headwaters to road 34-9-17.1, as a scenic river.

“(II) **WILD RIVER.**—The approximately 5.8-mile segment of Big Windy Creek from road 34-9-17.1 to the confluence with the Rogue River, as a wild river.

“(vii) **EAST FORK BIG WINDY CREEK.**—

“(I) **SCENIC RIVER.**—The approximately 0.2-mile segment of East Fork Big Windy Creek

from its headwaters to road 34-8-36, as a scenic river.

“(II) **WILD RIVER.**—The approximately 3.7-mile segment of East Fork Big Windy Creek from road 34-8-36 to the confluence with Big Windy Creek, as a wild river.

“(viii) **LITTLE WINDY CREEK.**—

“(I) **SCENIC RIVER.**—The approximately 1.2-mile segment of Little Windy Creek from its headwaters to the Wild Rogue Wilderness boundary in T. 33 S., R. 9 W., sec. 33, Willamette Meridian, as a scenic river.

“(II) **WILD RIVER.**—The approximately 1.9-mile segment of Little Windy Creek from the Wild Rogue Wilderness boundary in T. 33 S., R. 9 W., sec. 34, Willamette Meridian, to the confluence with the Rogue River, as a wild river.

“(ix) **HOWARD CREEK.**—

“(I) **SCENIC RIVER.**—The approximately 3.5-mile segment of Howard Creek from its headwaters to road 34-9-34, as a scenic river.

“(II) **WILD RIVER.**—The approximately 6.9-mile segment of Howard Creek from 0.1 miles downstream of road 34-9-34 to the confluence with the Rogue River, as a wild river.

“(III) **WILD RIVER.**—The approximately 3.5-mile segment of Anna Creek from its headwaters to the confluence with Howard Creek, as a wild river.

“(x) **MULE CREEK.**—

“(I) **SCENIC RIVER.**—The approximately 3.5-mile segment of Mule Creek from its headwaters downstream to the Wild Rogue Wilderness boundary as a scenic river.

“(II) **WILD RIVER.**—The approximately 7.8-mile segment of Mule Creek from the Wild Rogue Wilderness boundary in T. 32 S., R. 9 W., sec. 29, Willamette Meridian, to the confluence with the Rogue River, as a wild river.

“(xi) **MISSOURI CREEK.**—

“(I) **SCENIC RIVER.**—The approximately 3.1-mile segment of Missouri Creek from its headwaters downstream to the Wild Rogue Wilderness boundary in T. 33 S., R. 10 W., sec. 24, Willamette Meridian, as a scenic river.

“(II) **WILD RIVER.**—The approximately 1.6-mile segment of Missouri Creek from the Wild Rogue Wilderness boundary in T. 33 S., R. 10 W., sec. 24, Willamette Meridian, to the confluence with the Rogue River, as a wild river.

“(xii) **JENNY CREEK.**—

“(I) **SCENIC RIVER.**—The approximately 3.1-mile segment of Jenny Creek from its headwaters downstream to the Wild Rogue Wilderness boundary in T. 33 S., R. 9 W., sec. 28, Willamette Meridian, as a scenic river.

“(II) **WILD RIVER.**—The approximately 1.8-mile segment of Jenny Creek from the Wild Rogue Wilderness boundary in T. 33 S., R. 9 W., sec. 28, Willamette Meridian, to the confluence with the Rogue River, as a wild river.

“(xiii) **RUM CREEK.**—

“(I) **SCENIC RIVER.**—The approximately 2.2-mile segment of Rum Creek from its headwaters to the Wild Rogue Wilderness boundary in T. 34 S., R. 8 W., sec. 9, Willamette Meridian, as a scenic river.

“(II) **WILD RIVER.**—The approximately 2.2-mile segment of Rum Creek from the Wild Rogue Wilderness boundary in T. 34 S., R. 8 W., sec. 9, Willamette Meridian, to the confluence with the Rogue River, as a wild river.

“(xiv) **EAST FORK RUM CREEK.**—

“(I) **SCENIC RIVER.**—The approximately 0.8-mile segment of East Fork Rum Creek from its headwaters to the Wild Rogue Wilderness boundary in T. 34 S., R. 8 W., sec. 10, Willamette Meridian, as a scenic river.

“(II) **WILD RIVER.**—The approximately 1.3-mile segment of East Fork Rum Creek from the Wild Rogue Wilderness boundary in T. 34 S., R. 8 W., sec. 10, Willamette Meridian, to the confluence with Rum Creek, as a wild river.

“(xv) **WILDCAT CREEK.**—The approximately 1.7-mile segment of Wildcat Creek from its

headwaters downstream to the confluence with the Rogue River, as a wild river.

“(xvi) MONTGOMERY CREEK.—The approximately 1.8-mile segment of Montgomery Creek from its headwaters downstream to the confluence with the Rogue River, as a wild river.

“(xvii) HEWITT CREEK.—

“(I) SCENIC RIVER.—The approximately 1.4-mile segment of Hewitt Creek from its headwaters to the Wild Rogue Wilderness boundary in T. 33 S., R. 9 W., sec. 19, Willamette Meridian, as a scenic river.

“(II) WILD RIVER.—The approximately 1.2-mile segment of Hewitt Creek from the Wild Rogue Wilderness boundary in T. 33 S., R. 9 W., sec. 19, Willamette Meridian, to the confluence with the Rogue River, as a wild river.

“(xviii) BUNKER CREEK.—The approximately 6.6-mile segment of Bunker Creek from its headwaters to the confluence with the Rogue River, as a wild river.

“(xix) DULOG CREEK.—

“(I) SCENIC RIVER.—The approximately 0.8-mile segment of Dulog Creek from its headwaters to 0.1 miles downstream of road 34-8-36, as a scenic river.

“(II) WILD RIVER.—The approximately 1.0-mile segment of Dulog Creek from road 34-8-36 to the confluence with the Rogue River, as a wild river.

“(xx) QUAIL CREEK.—The approximately 1.7-mile segment of Quail Creek from the Wild Rogue Wilderness boundary in T. 33 S., R. 10 W., sec. 1, Willamette Meridian, to the confluence with the Rogue River, as a wild river.

“(xxi) MEADOW CREEK.—The approximately 4.1-mile segment of Meadow Creek from its headwaters to the confluence with the Rogue River, as a wild river.

“(xxii) RUSSIAN CREEK.—The approximately 2.5-mile segment of Russian Creek from the Wild Rogue Wilderness boundary in T. 33 S., R. 8 W., sec. 20, Willamette Meridian, to the confluence with the Rogue River, as a wild river.

“(xxiii) ALDER CREEK.—The approximately 1.2-mile segment of Alder Creek from its headwaters to the confluence with the Rogue River, as a wild river.

“(xxiv) BOOZE CREEK.—The approximately 1.5-mile segment of Booze Creek from its headwaters to the confluence with the Rogue River, as a wild river.

“(xxv) BRONCO CREEK.—The approximately 1.8-mile segment of Bronco Creek from its headwaters to the confluence with the Rogue River, as a wild river.

“(xxvi) COPSEY CREEK.—The approximately 1.5-mile segment of Copsey Creek from its headwaters to the confluence with the Rogue River, as a wild river.

“(xxvii) CORRAL CREEK.—The approximately 0.5-mile segment of Corral Creek from its headwaters to the confluence with the Rogue River, as a wild river.

“(xxviii) COWLEY CREEK.—The approximately 0.9-mile segment of Cowley Creek from its headwaters to the confluence with the Rogue River, as a wild river.

“(xxix) DITCH CREEK.—The approximately 1.8-mile segment of Ditch Creek from the Wild Rogue Wilderness boundary in T. 33 S., R. 9 W., sec. 5, Willamette Meridian, to its confluence with the Rogue River, as a wild river.

“(xxx) FRANCIS CREEK.—The approximately 0.9-mile segment of Francis Creek from its headwaters to the confluence with the Rogue River, as a wild river.

“(xxxi) LONG GULCH.—

“(I) SCENIC RIVER.—The approximately 1.4-mile segment of Long Gulch from its headwaters to the Wild Rogue Wilderness boundary in T. 33 S., R. 10 W., sec. 23, Willamette Meridian, as a scenic river.

“(II) WILD RIVER.—The approximately 1.1-mile segment of Long Gulch from the Wild Rogue Wilderness boundary in T. 33 S., R. 10 W., sec. 23, Willamette Meridian, to the confluence with the Rogue River, as a wild river.

“(xxxii) BAILEY CREEK.—

“(I) SCENIC RIVER.—The approximately 1.4-mile segment of Bailey Creek from its headwaters to the Wild Rogue Wilderness boundary on the west section line of T. 34 S., R. 8 W., sec. 14, Willamette Meridian, as a scenic river.

“(II) WILD RIVER.—The approximately 1.7-mile segment of Bailey Creek from the west section line of T. 34 S., R. 8 W., sec. 14, Willamette Meridian, to the confluence of the Rogue River, as a wild river.

“(xxxiii) SHADY CREEK.—The approximately 0.7-mile segment of Shady Creek from its headwaters to the confluence with the Rogue River, as a wild river.

“(xxxiv) SLIDE CREEK.—

“(I) SCENIC RIVER.—The approximately 0.5-mile segment of Slide Creek from its headwaters to road 33-9-6, as a scenic river.

“(II) WILD RIVER.—The approximately 0.7-mile section of Slide Creek from road 33-9-6 to the confluence with the Rogue River, as a wild river.”.

(B) MANAGEMENT.—Each river segment designated by subparagraph (B) of section 3(a)(5) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)(5)) (as added by subparagraph (A)) shall be managed as part of the Rogue Wild and Scenic River.

(C) WITHDRAWAL.—Subject to valid existing rights, the Federal land within the boundaries of the river segments designated by subparagraph (B) of section 3(a)(5) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)(5)) (as added by subparagraph (A)) is withdrawn from all forms of—

- (i) entry, appropriation, or disposal under the public land laws;
- (ii) location, entry, and patent under the mining laws; and
- (iii) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.

(D) ADDITIONAL PROTECTIONS FOR ROGUE RIVER TRIBUTARIES.—

(i) LICENSING BY COMMISSION.—The Federal Energy Regulatory Commission shall not license the construction of any dam, water conduit, reservoir, powerhouse, transmission line, or other project works on or directly affecting any stream described in clause (iv).

(ii) OTHER AGENCIES.—

(I) IN GENERAL.—No department or agency of the United States shall assist by loan, grant, license, or otherwise in the construction of any water resources project on or directly affecting any stream segment that is described in clause (iv), except to maintain or repair water resources projects in existence on the date of enactment of this Act.

(II) EFFECT.—Nothing in this clause prohibits any department or agency of the United States in assisting by loan, grant, license, or otherwise, a water resources project—

- (aa) the primary purpose of which is ecological or aquatic restoration;
- (bb) that provides a net benefit to water quality and aquatic resources; and
- (cc) that is consistent with protecting and enhancing the values for which the river was designated.

(iii) WITHDRAWAL.—Subject to valid existing rights, the Federal land located within  $\frac{1}{4}$  mile on either side of the stream segments described in clause (iv) is withdrawn from all forms of—

- (I) entry, appropriation, or disposal under the public land laws;
- (II) location, entry, and patent under the mining laws; and

(III) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.

(iv) DESCRIPTION OF STREAM SEGMENTS.—The following are the stream segments referred to in clause (i):

(I) KELSEY CREEK.—The approximately 2.5-mile segment of Kelsey Creek from its headwaters to the Wild Rogue Wilderness boundary in T. 32 S., R. 9 W., sec. 25, Willamette Meridian.

(II) GRAVE CREEK.—The approximately 10.2-mile segment of Grave Creek from the east boundary of T. 34 S., R. 7 W., sec. 1, Willamette Meridian, downstream to the confluence with the Rogue River.

(III) CENTENNIAL GULCH.—The approximately 2.2-mile segment of Centennial Gulch from its headwaters to its confluence with the Rogue River in T. 34 S., R. 7 W., sec. 18, Willamette Meridian.

(IV) QUAIL CREEK.—The approximately 0.8-mile segment of Quail Creek from its headwaters to the Wild Rogue Wilderness boundary in T. 33 S., R. 10 W., sec. 1, Willamette Meridian.

(V) DITCH CREEK.—The approximately 0.7-mile segment of Ditch Creek from its headwaters to the Wild Rogue Wilderness boundary in T. 33 S., R. 9 W., sec. 5, Willamette Meridian.

(VI) GALICE CREEK.—The approximately 2.2-mile segment of Galice Creek from the confluence with the North Fork Galice Creek downstream to the confluence with the Rogue River in T. 34 S., R. 8 W., sec. 36, Willamette Meridian.

(VII) QUARTZ CREEK.—The approximately 3.3-mile segment of Quartz Creek from its headwaters to its confluence with the North Fork Galice Creek in T. 35 S., R. 8 W., sec. 4, Willamette Meridian.

(VIII) NORTH FORK GALICE CREEK.—The approximately 5.7-mile segment of the North Fork Galice Creek from its headwaters to its confluence with the South Fork Galice Creek in T. 35 S., R. 8 W., sec. 3, Willamette Meridian.

(2) TECHNICAL CORRECTIONS TO THE WILD AND SCENIC RIVERS ACT.—

(A) CHETCO, OREGON.—Section 3(a)(69) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)(69)) is amended—

(i) by redesignating subparagraphs (A), (B), and (C) as clauses (i), (ii), and (iii), respectively, and indenting appropriately;

(ii) in the matter preceding clause (i) (as so redesignated), by striking “The 44.5-mile” and inserting the following:

“(A) DESIGNATIONS.—The 44.5-mile”;

(iii) in clause (i) (as so redesignated)—

(I) by striking “25.5-mile” and inserting “27.5-mile”; and

(II) by striking “Boulder Creek at the Kalmiopsis Wilderness boundary” and inserting “Mislatah Creek”;

(iv) in clause (ii) (as so redesignated)—

(I) by striking “8-mile” and inserting “7.5-mile”; and

(II) by striking “Boulder Creek to Steel Bridge” and inserting “Mislatah Creek to Eagle Creek”;

(v) in clause (iii) (as so redesignated)—

(I) by striking “11-mile” and inserting “9.5-mile”; and

(II) by striking “Steel Bridge” and inserting “Eagle Creek”; and

(vi) by adding at the end the following:

“(B) WITHDRAWAL.—Subject to valid rights, the Federal land within the boundaries of the river segments designated by subparagraph (A) is withdrawn from all forms of—

“(i) entry, appropriation, or disposal under the public land laws;

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

“(iii) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.”.

(B) WHYCHUS CREEK, OREGON.—Section 3(a)(102) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)(102)) is amended—

(i) in the paragraph heading, by striking “SQUAW CREEK” and inserting “WHYCHUS CREEK”;

(ii) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and indenting appropriately;

(iii) in the matter preceding clause (i) (as so redesignated)—

(I) by striking “The 15.4-mile” and inserting the following:

“(A) DESIGNATIONS.—The 15.4-mile”; and

(II) by striking “McAllister Ditch, including the Soap Fork Squaw Creek, the North Fork, the South Fork, the East and West Forks of Park Creek, and Park Creek Fork” and inserting “Plainview Ditch, including the Soap Creek, the North and South Forks of Whychus Creek, the East and West Forks of Park Creek, and Park Creek”;

(iv) in clause (ii) (as so redesignated), by striking “McAllister Ditch” and inserting “Plainview Ditch”; and

(v) by adding at the end the following:

“(B) WITHDRAWAL.—Subject to valid existing rights, the Federal land within the boundaries of the river segments designated by subparagraph (A) is withdrawn from all forms of—

“(i) entry, appropriation, or disposal under the public land laws;

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

“(iii) disposition under all laws relating to mineral and geothermal leasing or mineral materials.”.

(3) WILD AND SCENIC RIVER DESIGNATIONS, WASSON CREEK AND FRANKLIN CREEK, OREGON.—Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end the following:

“(214) FRANKLIN CREEK, OREGON.—The 4.5-mile segment from its headwaters to the private land boundary in sec. 8, to be administered by the Secretary of Agriculture as a wild river.

“(215) WASSON CREEK, OREGON.—The 10.1-mile segment in the following classes:

“(A) The 4.2-mile segment from the eastern boundary of T. 21 S., R. 9 W., sec. 17, downstream to the western boundary of T. 21 S., R. 10 W., sec. 12, to be administered by the Secretary of the Interior as a wild river.

“(B) The 5.9-mile segment from the western boundary of T. 21 S., R. 10 W., sec. 12, downstream to the eastern boundary of the northwest quarter of T. 21 S., R. 10 W., sec. 22, to be administered by the Secretary of Agriculture as a wild river.”.

(4) WILD AND SCENIC RIVER DESIGNATIONS, MOLALLA RIVER, OREGON.—Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) (as amended by paragraph (3)) is amended by adding at the end the following:

“(216) MOLALLA RIVER, OREGON.—

“(A) IN GENERAL.—The following segments in the State of Oregon, to be administered by the Secretary of the Interior as a recreational river:

“(i) MOLALLA RIVER.—The approximately 15.1-mile segment from the southern boundary line of T. 7 S., R. 4 E., sec. 19, downstream to the edge of the Bureau of Land Management boundary in T. 6 S., R. 3 E., sec. 7.

“(ii) TABLE ROCK FORK MOLALLA RIVER.—The approximately 6.2-mile segment from the easternmost Bureau of Land Management boundary line in the NE¼ sec. 4, T. 7 S., R. 4 E., downstream to the confluence with the Molalla River.

“(B) WITHDRAWAL.—Subject to valid existing rights, the Federal land within the

boundaries of the river segments designated by subparagraph (A) is withdrawn from all forms of—

“(i) entry, appropriation, or disposal under the public land laws;

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

“(iii) disposition under all laws relating to mineral and geothermal leasing or mineral materials.”.

(5) DESIGNATION OF ADDITIONAL WILD AND SCENIC RIVERS.—

(A) ELK RIVER, OREGON.—

(i) IN GENERAL.—Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by striking paragraph (76) and inserting the following:

“(76) ELK, OREGON.—The 69.2-mile segment to be administered by the Secretary of Agriculture in the following classes:

“(A) MAINSTEM.—The 17-mile segment from the confluence of the North and South Forks of the Elk to Anvil Creek as a recreational river.

“(B) NORTH FORK.—

“(i) SCENIC RIVER.—The approximately 0.6-mile segment of the North Fork Elk from its source in T. 33 S., R. 12 W., sec. 21, Willamette Meridian, downstream to 0.01 miles below Forest Service Road 3353, as a scenic river.

“(ii) WILD RIVER.—The approximately 5.5-mile segment of the North Fork Elk from 0.01 miles below Forest Service Road 3353 to its confluence with the South Fork Elk, as a wild river.

“(C) SOUTH FORK.—

“(i) SCENIC RIVER.—The approximately 0.9-mile segment of the South Fork Elk from its source in the southeast quarter of T. 33 S., R. 12 W., sec. 32, Willamette Meridian, Forest Service Road 3353, as a scenic river.

“(ii) WILD RIVER.—The approximately 4.2-mile segment of the South Fork Elk from 0.01 miles below Forest Service Road 3353 to its confluence with the North Fork Elk, as a wild river.

“(D) OTHER TRIBUTARIES.—

“(i) ROCK CREEK.—The approximately 1.7-mile segment of Rock Creek from its headwaters to the west boundary of T. 32 S., R. 14 W., sec. 30, Willamette Meridian, as a wild river.

“(ii) BALD MOUNTAIN CREEK.—The approximately 8-mile segment of Bald Mountain Creek from its headwaters, including Salal Spring to its confluence with Elk River, as a recreational river.

“(iii) SOUTH FORK BALD MOUNTAIN CREEK.—The approximately 3.5-mile segment of South Fork Bald Mountain Creek from its headwaters to its confluence with Bald Mountain Creek, as a scenic river.

“(iv) PLATINUM CREEK.—The approximately 1-mile segment of Platinum Creek from—

“(I) its headwaters to Forest Service Road 5325, as a wild river; and

“(II) Forest Service Road 5325 to its confluence with Elk River, as a scenic river.

“(v) PANTHER CREEK.—The approximately 5.0-mile segment of Panther Creek from—

“(I) its headwaters, including Mountain Well, to Forest Service Road 5325, as a wild river; and

“(II) Forest Service Road 5325 to its confluence with Elk River, as a scenic river.

“(vi) EAST FORK PANTHER CREEK.—The approximately 3.0-mile segment of East Fork Panther Creek from its headwaters, to the confluence with Panther Creek, as a wild river.

“(vii) WEST FORK PANTHER CREEK.—The approximately 3.0-mile segment of West Fork Panther Creek from its headwaters to the confluence with Panther Creek as a wild river.

“(viii) LOST CREEK.—The approximately 1.0-mile segment of Lost Creek from—

“(I) its headwaters to Forest Service Road 5325, as a wild river; and

“(II) Forest Service Road 5325 to its confluence with the Elk River, as a scenic river.

“(ix) MILBURY CREEK.—The approximately 1.5-mile segment of Milbury Creek from—

“(I) its headwaters to Forest Service Road 5325, as a wild river; and

“(II) Forest Service Road 5325 to its confluence with the Elk River, as a scenic river.

“(x) BLACKBERRY CREEK.—The approximately 5.0-mile segment of Blackberry Creek from—

“(I) its headwaters to Forest Service Road 5325, as a wild river; and

“(II) Forest Service Road 5325 to its confluence with the Elk River, as a scenic river.

“(xi) EAST FORK BLACKBERRY CREEK.—The approximately 2.0-mile segment of the unnamed tributary locally known as ‘East Fork Blackberry Creek’ from its headwaters in T. 33 S., R. 13 W., sec. 26, Willamette Meridian, to its confluence with Blackberry Creek, as a wild river.

“(xii) MCCURDY CREEK.—The approximately 1.0-mile segment of McCurdy Creek from—

“(I) its headwaters to Forest Service Road 5325, as a wild river; and

“(II) Forest Service Road 5325 to its confluence with the Elk River, as a scenic river.

“(xiii) BEAR CREEK.—The approximately 1.5-mile segment of Bear Creek from headwaters to the confluence with Bald Mountain Creek, as a recreational river.

“(xiv) BUTLER CREEK.—The approximately 4-mile segment of Butler Creek from—

“(I) its headwaters to the south boundary of T. 33 S., R. 13 W., sec. 8, Willamette Meridian, as a wild river; and

“(II) from the south boundary of T. 33 S., R. 13 W., sec. 8, Willamette Meridian, to its confluence with Elk River, as a scenic river.

“(xv) EAST FORK BUTLER CREEK.—The approximately 2.8-mile segment locally known as the ‘East Fork of Butler Creek’ from its headwaters on Mount Butler in T. 32 S., R. 13 W., sec. 29, Willamette Meridian, to its confluence with Butler Creek, as a scenic river.

“(xvi) PURPLE MOUNTAIN CREEK.—The approximately 2.0-mile segment locally known as ‘Purple Mountain Creek’ from—

“(I) its headwaters in secs. 35 and 36, T. 33 S., R. 14 W., Willamette Meridian, to 0.01 miles above Forest Service Road 5325, as a wild river; and

“(II) 0.01 miles above Forest Service Road 5325 to its confluence with the Elk River, as a scenic river.”.

(ii) WITHDRAWAL.—Subject to valid existing rights, the Federal land within the boundaries of the river segments designated by paragraph (76) of section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) (as amended by clause (i)) is withdrawn from all forms of—

(I) entry, appropriation, or disposal under the public land laws;

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

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

(B) DESIGNATION OF WILD AND SCENIC RIVER SEGMENTS.—

(i) IN GENERAL.—Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) (as amended by paragraph (4)) is amended by adding at the end the following:

“(217) NESTUCCA RIVER, OREGON.—The approximately 15.5-mile segment from its confluence with Ginger Creek downstream until it crosses the western edge of T. 4 S., R. 7 W., sec. 7, Willamette Meridian, to be administered by the Secretary of the Interior as a recreational river.

“(218) WALKER CREEK, OREGON.—The approximately 2.9-mile segment from the headwaters in T. 3 S., R. 6 W., sec. 20 downstream

to the confluence with the Nestucca River in T. 3 S., R. 6 W., sec. 15, Willamette Meridian, to be administered by the Secretary of the Interior as a recreational river.

“(219) NORTH FORK SILVER CREEK, OREGON.—The approximately 6-mile segment from the headwaters in T. 35 S., R. 9 W., sec. 1 downstream to the western edge of the Bureau of Land Management boundary in T. 35 S., R. 9 W., sec. 17, Willamette Meridian, to be administered by the Secretary of the Interior as a recreational river.

“(220) JENNY CREEK, OREGON.—The approximately 17.6-mile segment from the Bureau of Land Management boundary located at the north boundary of the southwest quarter of the southeast quarter of T. 38 S., R. 4 E., sec. 34, Willamette Meridian, downstream to the Oregon State border, to be administered by the Secretary of the Interior as a scenic river.

“(221) SPRING CREEK, OREGON.—The approximately 1.1-mile segment from its source at Shoat Springs in T. 40 S., R. 4 E., sec. 34, Willamette Meridian, downstream to the confluence with Jenny Creek in T. 41 S., R. 4 E., sec. 3, Willamette Meridian, to be administered by the Secretary of the Interior as a scenic river.

“(222) LOBSTER CREEK, OREGON.—The approximately 5-mile segment from T. 15 S., R. 8 W., sec. 35, Willamette Meridian, downstream to the northern edge of the Bureau of Land Management boundary in T. 15 S., R. 8 W., sec. 15, Willamette Meridian, to be administered by the Secretary of the Interior as a recreational river.

“(223) ELK CREEK, OREGON.—The approximately 7.3-mile segment from its confluence with Flat Creek near river mile 9, to the southern edge of the Army Corps of Engineers boundary in T. 33 S., R. 1 E., sec. 30, Willamette Meridian, near river mile 1.7, to be administered by the Secretary of the Interior as a scenic river.”.

(i) ADMINISTRATION OF ELK CREEK.—

(I) LATERAL BOUNDARIES OF ELK CREEK.—The lateral boundaries of the river segment designated by paragraph (223) of section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) (as added by clause (i)) shall include an average of not more than 640 acres per mile measured from the ordinary high water mark on both sides of the river segment.

(II) DEAUTHORIZATION.—The Elk Creek Project authorized under the Flood Control Act of 1962 (Public Law 87-874; 76 Stat. 1192) is deauthorized.

(iii) WITHDRAWAL.—Subject to valid existing rights, the Federal land within the boundaries of the river segments designated by paragraphs (217) through (223) of section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) (as added by clause (i)) is withdrawn from all forms of—

(I) entry, appropriation, or disposal under the public land laws;

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

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

(b) DEVIL'S STAIRCASE WILDERNESS.—

(1) DEFINITIONS.—In this subsection:

(A) MAP.—The term “map” means the map entitled “Devil's Staircase Wilderness Proposal” and dated July 26, 2018.

(B) SECRETARY.—The term “Secretary” means—

(i) the Secretary, with respect to public land administered by the Secretary; or

(ii) the Secretary of Agriculture, with respect to National Forest System land.

(C) STATE.—The term “State” means the State of Oregon.

(D) WILDERNESS.—The term “Wilderness” means the Devil's Staircase Wilderness designated by paragraph (2).

(2) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the approximately 30,621 acres of Forest Service land and Bureau of Land Management land in the State, as generally depicted on the map, is designated as wilderness and as a component of the National Wilderness Preservation System, to be known as the “Devil's Staircase Wilderness”.

(3) MAP; LEGAL DESCRIPTION.—

(A) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall prepare a map and legal description of the Wilderness.

(B) FORCE OF LAW.—The map and legal description prepared under subparagraph (A) shall have the same force and effect as if included in this subsection, except that the Secretary may correct clerical and typographical errors in the map and legal description.

(C) AVAILABILITY.—The map and legal description prepared under subparagraph (A) shall be on file and available for public inspection in the appropriate offices of the Forest Service and Bureau of Land Management.

(4) ADMINISTRATION.—Subject to valid existing rights, the area designated as wilderness by this subsection shall be administered by the Secretary in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), except that—

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

(B) any reference in that Act to the Secretary of Agriculture shall be considered to be a reference to the Secretary that has jurisdiction over the land within the Wilderness.

(5) FISH AND WILDLIFE.—Nothing in this subsection affects the jurisdiction or responsibilities of the State with respect to fish and wildlife in the State.

(6) ADJACENT MANAGEMENT.—

(A) IN GENERAL.—Nothing in this subsection creates any protective perimeter or buffer zone around the Wilderness.

(B) ACTIVITIES OUTSIDE WILDERNESS.—The fact that a nonwilderness activity or use on land outside the Wilderness can be seen or heard within the Wilderness shall not preclude the activity or use outside the boundary of the Wilderness.

(7) PROTECTION OF TRIBAL RIGHTS.—Nothing in this subsection diminishes any treaty rights of an Indian Tribe.

(8) TRANSFER OF ADMINISTRATIVE JURISDICTION.—

(A) IN GENERAL.—Administrative jurisdiction over the approximately 49 acres of Bureau of Land Management land north of the Umpqua River in T. 21 S., R. 11 W., sec. 32, is transferred from the Bureau of Land Management to the Forest Service.

(B) ADMINISTRATION.—The Secretary shall administer the land transferred by subparagraph (A) in accordance with—

(i) the Act of March 1, 1911 (commonly known as the “Weeks Law”) (16 U.S.C. 480 et seq.); and

(ii) any laws (including regulations) applicable to the National Forest System.

## PART II—EMERY COUNTY PUBLIC LAND MANAGEMENT

### SEC. 1211. DEFINITIONS.

In this part:

(1) COUNCIL.—The term “Council” means the San Rafael Swell Recreation Area Advisory Council established under section 1223(a).

(2) COUNTY.—The term “County” means Emery County in the State.

(3) MANAGEMENT PLAN.—The term “Management Plan” means the management plan

for the Recreation Area developed under section 1222(c).

(4) MAP.—The term “Map” means the map entitled “Emery County Public Land Management Act of 2018 Overview Map” and dated February 5, 2019.

(5) RECREATION AREA.—The term “Recreation Area” means the San Rafael Swell Recreation Area established by section 1221(a)(1).

(6) SECRETARY.—The term “Secretary” means—

(A) the Secretary, with respect to public land administered by the Bureau of Land Management; and

(B) the Secretary of Agriculture, with respect to National Forest System land.

(7) STATE.—The term “State” means the State of Utah.

(8) WILDERNESS AREA.—The term “wilderness area” means a wilderness area designated by section 1231(a).

### SEC. 1212. ADMINISTRATION.

Nothing in this part affects or modifies—

(1) any right of any federally recognized Indian Tribe; or

(2) any obligation of the United States to any federally recognized Indian Tribe.

### SEC. 1213. EFFECT ON WATER RIGHTS.

Nothing in this part—

(1) affects the use or allocation, in existence on the date of enactment of this Act, of any water, water right, or interest in water;

(2) affects any water right (as defined by applicable State law) in existence on the date of enactment of this Act, including any water right held by the United States;

(3) affects any interstate water compact in existence on the date of enactment of this Act;

(4) shall be considered to be a relinquishment or reduction of any water rights reserved or appropriated by the United States in the State on or before the date of enactment of this Act; or

(5) affects the management and operation of Flaming Gorge Dam and Reservoir, including the storage, management, and release of water.

### SEC. 1214. SAVINGS CLAUSE.

Nothing in this part diminishes the authority of the Secretary under Public Law 92-195 (commonly known as the “Wild Free-Roaming Horses and Burros Act”) (16 U.S.C. 1331 et seq.).

## Subpart A—San Rafael Swell Recreation Area

### SEC. 1221. ESTABLISHMENT OF RECREATION AREA.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Subject to valid existing rights, there is established the San Rafael Swell Recreation Area in the State.

(2) AREA INCLUDED.—The Recreation Area shall consist of approximately 216,995 acres of Federal land managed by the Bureau of Land Management, as generally depicted on the Map.

(b) PURPOSES.—The purposes of the Recreation Area are to provide for the protection, conservation, and enhancement of the recreational, cultural, natural, scenic, wildlife, ecological, historical, and educational resources of the Recreation Area.

(c) MAP AND LEGAL DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall file a map and legal description of the Recreation Area with the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

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

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

#### SEC. 1222. MANAGEMENT OF RECREATION AREA.

(a) IN GENERAL.—The Secretary shall administer the Recreation Area—

(1) in a manner that conserves, protects, and enhances the purposes for which the Recreation Area is established; and

(2) in accordance with—

(A) this section;

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

(C) other applicable laws.

(b) USES.—The Secretary shall allow only uses of the Recreation Area that are consistent with the purposes for which the Recreation Area is established.

(c) MANAGEMENT PLAN.—

(1) IN GENERAL.—Not later than 5 years after the date of enactment of this Act, the Secretary shall develop a comprehensive management plan for the long-term protection and management of the Recreation Area.

(2) REQUIREMENTS.—The Management Plan shall—

(A) describe the appropriate uses and management of the Recreation Area;

(B) be developed with extensive public input;

(C) take into consideration any information developed in studies of the land within the Recreation Area; and

(D) be developed fully consistent with the settlement agreement entered into on January 13, 2017, in the case in the United States District Court for the District of Utah styled “Southern Utah Wilderness Alliance, et al. v. U.S. Department of the Interior, et al.” and numbered 2:12-cv-257 DAK.

(d) MOTORIZED VEHICLES; NEW ROADS.—

(1) MOTORIZED VEHICLES.—Except as needed for emergency response or administrative purposes, the use of motorized vehicles in the Recreation Area shall be permitted only on roads and motorized routes designated in the Management Plan for the use of motorized vehicles.

(2) NEW ROADS.—No new permanent or temporary roads or other motorized vehicle routes shall be constructed within the Recreation Area after the date of enactment of this Act.

(3) EXISTING ROADS.—

(A) IN GENERAL.—Necessary maintenance or repairs to existing roads designated in the Management Plan for the use of motorized vehicles, including necessary repairs to keep existing roads free of debris or other safety hazards, shall be permitted after the date of enactment of this Act, consistent with the requirements of this section.

(B) EFFECT.—Nothing in this subsection prevents the Secretary from rerouting an existing road or trail to protect Recreation Area resources from degradation or to protect public safety, as determined to be appropriate by the Secretary.

(e) GRAZING.—

(1) IN GENERAL.—The grazing of livestock in the Recreation Area, if established before the date of enactment of this Act, shall be allowed to continue, subject to such reasonable regulations, policies, and practices as the Secretary considers to be necessary in accordance with—

(A) applicable law (including regulations); and

(B) the purposes of the Recreation Area.

(2) INVENTORY.—Not later than 5 years after the date of enactment of this Act, the Secretary, in collaboration with any affected grazing permittee, shall carry out an inventory of facilities and improvements associ-

ated with grazing activities in the Recreation Area.

(f) COLD WAR SITES.—The Secretary shall manage the Recreation Area in a manner that educates the public about Cold War and historic uranium mine sites in the Recreation Area, subject to such terms and conditions as the Secretary considers necessary to protect public health and safety.

(g) INCORPORATION OF ACQUIRED LAND AND INTERESTS.—Any land or interest in land located within the boundary of the Recreation Area that is acquired by the United States after the date of enactment of this Act shall—

(1) become part of the Recreation Area; and

(2) be managed in accordance with applicable laws, including as provided in this section.

(h) WITHDRAWAL.—Subject to valid existing rights, all Federal land within the Recreation Area, including any land or interest in land that is acquired by the United States within the Recreation Area after the date of enactment of this Act, is withdrawn from—

(1) entry, appropriation, or disposal under the public land laws;

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

(3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(i) STUDY OF NONMOTORIZED RECREATION OPPORTUNITIES.—Not later than 2 years after the date of enactment of this Act, the Secretary, in consultation with interested parties, shall conduct a study of nonmotorized recreation trail opportunities, including bicycle trails, within the Recreation Area, consistent with the purposes of the Recreation Area.

(j) COOPERATIVE AGREEMENT.—The Secretary may enter into a cooperative agreement with the State in accordance with section 307(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1737(b)) and other applicable laws to provide for the protection, management, and maintenance of the Recreation Area.

#### SEC. 1223. SAN RAFAEL SWELL RECREATION AREA ADVISORY COUNCIL.

(a) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish an advisory council, to be known as the “San Rafael Swell Recreation Area Advisory Council”.

(b) DUTIES.—The Council shall advise the Secretary with respect to the preparation and implementation of the Management Plan for the Recreation Area.

(c) APPLICABLE LAW.—The Council shall be subject to—

(1) the Federal Advisory Committee Act (5 U.S.C. App.); and

(2) section 309 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1739).

(d) MEMBERS.—The Council shall include 7 members, to be appointed by the Secretary, of whom, to the maximum extent practicable—

(1) 1 member shall represent the Emery County Commission;

(2) 1 member shall represent motorized recreational users;

(3) 1 member shall represent nonmotorized recreational users;

(4) 1 member shall represent permittees holding grazing allotments within the Recreation Area or wilderness areas designated in this part;

(5) 1 member shall represent conservation organizations;

(6) 1 member shall have expertise in the historical uses of the Recreation Area; and

(7) 1 member shall be appointed from the elected leadership of a Federally recognized Indian Tribe that has significant cultural or historical connections to, and expertise in,

the landscape, archeological sites, or cultural sites within the County.

#### Subpart B—Wilderness Areas

#### SEC. 1231. ADDITIONS TO THE NATIONAL WILDERNESS PRESERVATION SYSTEM.

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

(1) BIG WILD HORSE MESA.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 18,192 acres, generally depicted on the Map as “Proposed Big Wild Horse Mesa Wilderness”, which shall be known as the “Big Wild Horse Mesa Wilderness”.

(2) COLD WASH.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 11,001 acres, generally depicted on the Map as “Proposed Cold Wash Wilderness”, which shall be known as the “Cold Wash Wilderness”.

(3) DESOLATION CANYON.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 142,996 acres, generally depicted on the Map as “Proposed Desolation Canyon Wilderness”, which shall be known as the “Desolation Canyon Wilderness”.

(4) DEVIL’S CANYON.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 8,675 acres, generally depicted on the Map as “Proposed Devil’s Canyon Wilderness”, which shall be known as the “Devil’s Canyon Wilderness”.

(5) EAGLE CANYON.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 13,832 acres, generally depicted on the Map as “Proposed Eagle Canyon Wilderness”, which shall be known as the “Eagle Canyon Wilderness”.

(6) HORSE VALLEY.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 12,201 acres, generally depicted on the Map as “Proposed Horse Valley Wilderness”, which shall be known as the “Horse Valley Wilderness”.

(7) LABYRINTH CANYON.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 54,643 acres, generally depicted on the Map as “Proposed Labyrinth Canyon Wilderness”, which shall be known as the “Labyrinth Canyon Wilderness”.

(8) LITTLE OCEAN DRAW.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 20,660 acres, generally depicted on the Map as “Proposed Little Ocean Draw Wilderness”, which shall be known as the “Little Ocean Draw Wilderness”.

(9) LITTLE WILD HORSE CANYON.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 5,479 acres, generally depicted on the Map as “Proposed Little Wild Horse Canyon Wilderness”, which shall be known as the “Little Wild Horse Canyon Wilderness”.

(10) LOWER LAST CHANCE.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 19,338 acres, generally depicted on the Map as “Proposed Lower Last Chance Wilderness”, which shall be known as the “Lower Last Chance Wilderness”.

(11) MEXICAN MOUNTAIN.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 76,413 acres, generally depicted on the Map as “Proposed Mexican Mountain Wilderness”, which shall be known as the “Mexican Mountain Wilderness”.

(12) MIDDLE WILD HORSE MESA.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 16,343 acres, generally depicted on the Map as



“Proposed Middle Wild Horse Mesa Wilderness”, which shall be known as the “Middle Wild Horse Mesa Wilderness”.

(13) MUDDY CREEK.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 98,023 acres, generally depicted on the Map as “Proposed Muddy Creek Wilderness”, which shall be known as the “Muddy Creek Wilderness”.

(14) NELSON MOUNTAIN.—

(A) IN GENERAL.—Certain Federal land managed by the Forest Service, comprising approximately 7,176 acres, and certain Federal land managed by the Bureau of Land Management, comprising approximately 257 acres, generally depicted on the Map as “Proposed Nelson Mountain Wilderness”, which shall be known as the “Nelson Mountain Wilderness”.

(B) TRANSFER OF ADMINISTRATIVE JURISDICTION.—Administrative jurisdiction over the 257-acre portion of the Nelson Mountain Wilderness designated by subparagraph (A) is transferred from the Bureau of Land Management to the Forest Service.

(15) RED’S CANYON.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 17,325 acres, generally depicted on the Map as “Proposed Red’s Canyon Wilderness”, which shall be known as the “Red’s Canyon Wilderness”.

(16) SAN RAFAEL REEF.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 60,442 acres, generally depicted on the Map as “Proposed San Rafael Reef Wilderness”, which shall be known as the “San Rafael Reef Wilderness”.

(17) SID’S MOUNTAIN.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 49,130 acres, generally depicted on the Map as “Proposed Sid’s Mountain Wilderness”, which shall be known as the “Sid’s Mountain Wilderness”.

(18) TURTLE CANYON.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 29,029 acres, generally depicted on the Map as “Proposed Turtle Canyon Wilderness”, which shall be known as the “Turtle Canyon Wilderness”.

(b) MAP AND LEGAL DESCRIPTION.—

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

(A) the Committee on Natural Resources of the House of Representatives; and

(B) the Committee on Energy and Natural Resources of the Senate.

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

(3) AVAILABILITY.—Each map and legal description filed under paragraph (1) shall be on file and available for public inspection in the appropriate office of the Secretary.

#### SEC. 1232. ADMINISTRATION.

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

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

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

(b) RECREATIONAL CLIMBING.—Nothing in this part prohibits recreational rock climbing activities in the wilderness areas, such as the placement, use, and maintenance of fixed anchors, including any fixed anchor estab-

lished before the date of the enactment of this Act—

(1) in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.); and

(2) subject to any terms and conditions determined to be necessary by the Secretary.

(c) TRAIL PLAN.—After providing opportunities for public comment, the Secretary shall establish a trail plan that addresses hiking and equestrian trails on the wilderness areas in a manner consistent with the Wilderness Act (16 U.S.C. 1131 et seq.).

(d) LIVESTOCK.—

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

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

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

(2) INVENTORY.—With respect to each wilderness area in which grazing of livestock is allowed to continue under paragraph (1), not later than 2 years after the date of enactment of this Act, the Secretary, in collaboration with any affected grazing permittee, shall carry out an inventory of facilities and improvements associated with grazing activities in the wilderness area.

(e) ADJACENT MANAGEMENT.—

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

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

(f) MILITARY OVERFLIGHTS.—Nothing in this subpart restricts or precludes—

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

(2) flight testing and evaluation; or

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

(g) COMMERCIAL SERVICES.—Commercial services (including authorized outfitting and guide activities) within the wilderness areas may be authorized to the extent necessary for activities that are appropriate for realizing the recreational or other wilderness purposes of the wilderness areas, in accordance with section 4(d)(5) of the Wilderness Act (16 U.S.C. 1133(d)(5)).

(h) LAND ACQUISITION AND INCORPORATION OF ACQUIRED LAND AND INTERESTS.—

(1) ACQUISITION AUTHORITY.—The Secretary may acquire land and interests in land within the boundaries of a wilderness area by donation, purchase from a willing seller, or exchange.

(2) INCORPORATION.—Any land or interest in land within the boundary of a wilderness area that is acquired by the United States after the date of enactment of this Act shall be added to and administered as part of the wilderness area.

(i) WATER RIGHTS.—

(1) STATUTORY CONSTRUCTION.—Nothing in this subpart—

(A) shall constitute or be construed to constitute either an express or implied reservation by the United States of any water or water rights with respect to the land designated as wilderness by section 1231;

(B) shall affect any water rights in the State existing on the date of enactment of this Act, including any water rights held by the United States;

(C) shall be construed as establishing a precedent with regard to any future wilderness designations;

(D) shall affect the interpretation of, or any designation made pursuant to, any other Act; or

(E) shall be construed as limiting, altering, modifying, or amending any of the interstate compacts or equitable apportionment decrees that apportion water among and between the State and other States.

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

(j) MEMORANDUM OF UNDERSTANDING.—The Secretary shall offer to enter into a memorandum of understanding with the County, in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), to clarify the approval processes for the use of motorized equipment and mechanical transport for search and rescue activities in the Muddy Creek Wilderness established by section 1231(a)(13).

#### SEC. 1233. FISH AND WILDLIFE MANAGEMENT.

Nothing in this subpart affects the jurisdiction of the State with respect to fish and wildlife on public land located in the State.

#### SEC. 1234. RELEASE.

(a) FINDING.—Congress finds that, for the purposes of section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)), the approximately 17,420 acres of public land administered by the Bureau of Land Management in the County that has not been designated as wilderness by section 1231(a) has been adequately studied for wilderness designation.

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

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

(2) shall be managed in accordance with—

(A) applicable law; and

(B) any applicable land management plan adopted under section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712).

#### Subpart C—Wild and Scenic River Designation

#### SEC. 1241. GREEN RIVER WILD AND SCENIC RIVER DESIGNATION.

(a) IN GENERAL.—Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) (as amended by section 1205(a)(5)(B)(i)) is amended by adding at the end the following:

“(224) GREEN RIVER.—The approximately 63-mile segment, as generally depicted on the map entitled ‘Emery County Public Land Management Act of 2018 Overview Map’ and dated December 11, 2018, to be administered by the Secretary of the Interior, in the following classifications:

“(A) WILD RIVER SEGMENT.—The 5.3-mile segment from the boundary of the Uintah and Ouray Reservation, south to the Nefertiti boat ramp, as a wild river.

“(B) RECREATIONAL RIVER SEGMENT.—The 8.5-mile segment from the Nefertiti boat ramp, south to the Swasey’s boat ramp, as a recreational river.

“(C) SCENIC RIVER SEGMENT.—The 49.2-mile segment from Bull Bottom, south to the county line between Emery and Wayne Counties, as a scenic river.”.

(b) INCORPORATION OF ACQUIRED NON-FEDERAL LAND.—If the United States acquires any non-Federal land within or adjacent to a river segment of the Green River designated by paragraph (224) of section 3(a) of the Wild

and Scenic Rivers Act (16 U.S.C. 1274(a)) (as added by subsection (a)), the acquired land shall be incorporated in, and be administered as part of, the applicable wild, scenic, or recreational river.

#### Subpart D—Land Management and Conveyances

##### SEC. 1251. GOBLIN VALLEY STATE PARK.

(a) IN GENERAL.—The Secretary shall offer to convey to the Utah Division of Parks and Recreation of the Utah Department of Natural Resources (referred to in this section as the “State”), approximately 6,261 acres of land identified on the Map as the “Proposed Goblin Valley State Park Expansion”, without consideration, for the management by the State as a State park, consistent with uses allowed under 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.).

(b) REVERSIONARY CLAUSE REQUIRED.—A conveyance under subsection (a) shall include a reversionary clause to ensure that management of the land described in that subsection shall revert to the Secretary if the land is no longer being managed as a State park in accordance with subsection (a).

##### SEC. 1252. JURASSIC NATIONAL MONUMENT.

(a) ESTABLISHMENT PURPOSES.—To conserve, interpret, and enhance for the benefit of present and future generations the paleontological, scientific, educational, and recreational resources of the area and subject to valid existing rights, there is established in the State the Jurassic National Monument (referred to in this section as the “Monument”), consisting of approximately 850 acres of Federal land administered by the Bureau of Land Management in the County and generally depicted as “Proposed Jurassic National Monument” on the Map.

(b) MAP AND LEGAL DESCRIPTION.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary shall file with the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a map and legal description of the Monument.

(2) EFFECT.—The map and legal description filed under paragraph (1) shall have the same force and effect as if included in this section, except that the Secretary may correct clerical and typographical errors in the map and legal description, subject to the requirement that, before making the proposed corrections, the Secretary shall submit to the State and any affected county the proposed corrections.

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

(c) WITHDRAWAL.—Subject to valid existing rights, any Federal land within the boundaries of the Monument and any land or interest in land that is acquired by the United States for inclusion in the Monument after the date of enactment of this Act is withdrawn from—

- (1) entry, appropriation, or disposal under the public land laws;
- (2) location, entry, and patent under the mining laws; and
- (3) operation of the mineral leasing laws, geothermal leasing laws, and minerals materials laws.

(d) MANAGEMENT.—

(1) IN GENERAL.—The Secretary shall manage the Monument—

(A) in a manner that conserves, protects, and enhances the resources and values of the Monument, including the resources and values described in subsection (a); and

(B) in accordance with—

(i) this section;

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

(iii) any other applicable Federal law.

(2) NATIONAL LANDSCAPE CONSERVATION SYSTEM.—The Monument shall be managed as a component of the National Landscape Conservation System.

(e) MANAGEMENT PLAN.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary shall develop a comprehensive management plan for the long-term protection and management of the Monument.

(2) COMPONENTS.—The management plan developed under paragraph (1) shall—

(A) describe the appropriate uses and management of the Monument, consistent with the provisions of this section; and

(B) allow for continued scientific research at the Monument during the development of the management plan for the Monument, subject to any terms and conditions that the Secretary determines necessary to protect Monument resources.

(f) AUTHORIZED USES.—The Secretary shall only allow uses of the Monument that the Secretary determines would further the purposes for which the Monument has been established.

(g) INTERPRETATION, EDUCATION, AND SCIENTIFIC RESEARCH.—

(1) IN GENERAL.—The Secretary shall provide for public interpretation of, and educational and scientific research on, the paleontological resources of the Monument.

(2) COOPERATIVE AGREEMENTS.—The Secretary may enter into cooperative agreements with appropriate public entities to carry out paragraph (1).

(h) SPECIAL MANAGEMENT AREAS.—

(1) IN GENERAL.—The establishment of the Monument shall not modify the management status of any area within the boundary of the Monument that is managed as an area of critical environmental concern.

(2) CONFLICT OF LAWS.—If there is a conflict between the laws applicable to an area described in paragraph (1) and this section, the more restrictive provision shall control.

(i) MOTORIZED VEHICLES.—Except as needed for administrative purposes or to respond to an emergency, the use of motorized vehicles in the Monument shall be allowed only on roads and trails designated for use by motorized vehicles under the management plan for the Monument developed under subsection (e).

(j) WATER RIGHTS.—Nothing in this section constitutes an express or implied reservation by the United States of any water or water rights with respect to the Monument.

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

(1) applicable law (including regulations);

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

(3) the purposes of the Monument.

##### SEC. 1253. PUBLIC LAND DISPOSAL AND ACQUISITION.

(a) IN GENERAL.—In accordance with applicable law, the Secretary may sell public land located in the County that has been identified as suitable for disposal based on specific criteria as listed in the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1713) in the applicable resource management plan in existence on the date of enactment of this Act.

(b) USE OF PROCEEDS.—

(1) IN GENERAL.—Notwithstanding any other provision of law (other than a law that specifically provides for a portion of the proceeds of a land sale to be distributed to any trust fund of the State), proceeds from the sale of public land under subsection (a) shall be deposited in a separate account in the Treasury, to be known as the “Emery County, Utah, Land Acquisition Account” (referred to in this section as the “Account”).

(2) AVAILABILITY.—

(A) IN GENERAL.—Amounts in the Account shall be available to the Secretary, without further appropriation, to purchase from willing sellers land or interests in land within a wilderness area or the Recreation Area.

(B) APPLICABILITY.—Any purchase of land or interest in land under subparagraph (A) shall be in accordance with applicable law.

(C) PROTECTION OF CULTURAL RESOURCES.—To the extent that there are amounts in the Account in excess of the amounts needed to carry out subparagraph (A), the Secretary may use the excess amounts for the protection of cultural resources on Federal land within the County.

##### SEC. 1254. PUBLIC PURPOSE CONVEYANCES.

(a) IN GENERAL.—Notwithstanding the land use planning requirement of sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1713), on request by the applicable local governmental entity, the Secretary shall convey without consideration the following parcels of public land to be used for public purposes:

(1) EMERY CITY RECREATION AREA.—The approximately 640-acre parcel as generally depicted on the Map, to the City of Emery, Utah, for the creation or enhancement of public recreation opportunities consistent with uses allowed under 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.).

(2) HUNTINGTON AIRPORT.—The approximately 320-acre parcel as generally depicted on the Map, to Emery County, Utah, for expansion of Huntington Airport consistent with uses allowed under 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.).

(3) EMERY COUNTY SHERIFF'S OFFICE.—The approximately 5-acre parcel as generally depicted on the Map, to Emery County, Utah, for the Emery County Sheriff's Office substation consistent with uses allowed under 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.).

(4) BUCKHORN INFORMATION CENTER.—The approximately 5-acre parcel as generally depicted on the Map, to Emery County, Utah, for the Buckhorn Information Center consistent with uses allowed under 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.).

(b) MAP AND LEGAL DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall file a map and legal description of each parcel of land to be conveyed under subsection (a) with—

(A) the Committee on Energy and Natural Resources of the Senate; and

(B) the Committee on Natural Resources of the House of Representatives.

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

(3) PUBLIC AVAILABILITY.—Each map and legal description filed under paragraph (1)

shall be on file and available for public inspection in the Price Field Office of the Bureau of Land Management.

(C) REVERSION.—

(1) IN GENERAL.—If a parcel of land conveyed under subsection (a) is used for a purpose other than the purpose described in that subsection, the parcel of land shall, at the discretion of the Secretary, revert to the United States.

(2) RESPONSIBILITY FOR REMEDIATION.—In the case of a reversion under paragraph (1), if the Secretary determines that the parcel of land is contaminated with hazardous waste, the local governmental entity to which the parcel of land was conveyed under subsection (a) shall be responsible for remediation.

**SEC. 1255. EXCHANGE OF BLM AND SCHOOL AND INSTITUTIONAL TRUST LANDS ADMINISTRATION LAND.**

(a) DEFINITIONS.—In this section:

(1) EXCHANGE MAP.—The term “Exchange Map” means the map prepared by the Bureau of Land Management entitled “Emery County Public Land Management Act—Proposed Land Exchange” and dated December, 10, 2018.

(2) FEDERAL LAND.—The term “Federal land” means public land located in the State of Utah that is identified on the Exchange Map as—

(A) “BLM Surface and Mineral Lands Proposed for Transfer to SITLA”;;

(B) “BLM Mineral Lands Proposed for Transfer to SITLA”; and

(C) “BLM Surface Lands Proposed for Transfer to SITLA”.

(3) NON-FEDERAL LAND.—The term “non-Federal land” means the land owned by the State in the Emery and Uintah Counties that is identified on the Exchange Map as—

(A) “SITLA Surface and Mineral Land Proposed for Transfer to BLM”;;

(B) “SITLA Mineral Lands Proposed for Transfer to BLM”; and

(C) “SITLA Surface Lands Proposed for Transfer to BLM”.

(4) STATE.—The term “State” means the State, acting through the School and Institutional Trust Lands Administration.

(b) EXCHANGE OF FEDERAL LAND AND NON-FEDERAL LAND.—

(1) IN GENERAL.—If the State offers to convey to the United States title to the non-Federal land, the Secretary, in accordance with this section, shall—

(A) accept the offer; and

(B) on receipt of all right, title, and interest in and to the non-Federal land, convey to the State (or a designee) all right, title, and interest of the United States in and to the Federal land.

(2) CONVEYANCE OF PARCELS IN PHASES.—

(A) IN GENERAL.—Notwithstanding that appraisals for all of the parcels of Federal land and non-Federal land may not have been approved under subsection (c)(5), parcels of the Federal land and non-Federal land may be exchanged under paragraph (1) in phases, to be mutually agreed by the Secretary and the State, beginning on the date on which the appraised values of the parcels included in the applicable phase are approved.

(B) NO AGREEMENT ON EXCHANGE.—If any dispute or delay arises with respect to the exchange of an individual parcel of Federal land or non-Federal land under paragraph (1), the Secretary and the State may mutually agree to set aside the individual parcel to allow the exchange of the other parcels of Federal land and non-Federal land to proceed.

(3) EXCLUSION.—

(A) IN GENERAL.—The Secretary shall exclude from any conveyance of a parcel of Federal land under paragraph (1) any Federal land that contains critical habitat designated for a species listed as an endangered

species or a threatened species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

(B) REQUIREMENT.—Any Federal land excluded under subparagraph (A) shall be the smallest area necessary to protect the applicable critical habitat.

(4) APPLICABLE LAW.—

(A) IN GENERAL.—The land exchange under paragraph (1) shall be subject to section 206 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716) and other applicable law.

(B) LAND USE PLANNING.—With respect to the Federal land to be conveyed under paragraph (1), the Secretary shall not be required to undertake any additional land use planning under section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712) before the conveyance of the Federal land.

(5) VALID EXISTING RIGHTS.—The land exchange under paragraph (1) shall be subject to valid existing rights.

(6) TITLE APPROVAL.—Title to the Federal land and non-Federal land to be exchanged under paragraph (1) shall be in a form acceptable to the Secretary and the State.

(c) APPRAISALS.—

(1) IN GENERAL.—The value of the Federal land and the non-Federal land to be exchanged under subsection (b)(1) shall be determined by appraisals conducted by 1 or more independent and qualified appraisers.

(2) STATE APPRAISER.—The Secretary and the State may agree to use an independent and qualified appraiser—

(A) retained by the State; and

(B) approved by the Secretary.

(3) APPLICABLE LAW.—The appraisals under paragraph (1) shall be conducted in accordance with nationally recognized appraisal standards, including, as appropriate—

(A) the Uniform Appraisal Standards for Federal Land Acquisitions; and

(B) the Uniform Standards of Professional Appraisal Practice.

(4) MINERALS.—

(A) MINERAL REPORTS.—The appraisals under paragraph (1) may take into account mineral and technical reports provided by the Secretary and the State in the evaluation of mineral deposits in the Federal land and non-Federal land.

(B) MINING CLAIMS.—To the extent permissible under applicable appraisal standards, the appraisal of any parcel of Federal land that is encumbered by a mining or millsite claim located under sections 2318 through 2352 of the Revised Statutes (commonly known as the “Mining Law of 1872”) (30 U.S.C. 21 et seq.) shall be appraised in accordance with standard appraisal practices, including, as appropriate, the Uniform Appraisal Standards for Federal Land Acquisition.

(C) VALIDITY EXAMINATIONS.—Nothing in this subsection requires the United States to conduct a mineral examination for any mining claim on the Federal land.

(D) ADJUSTMENT.—

(1) IN GENERAL.—If value is attributed to any parcel of Federal land because of the presence of minerals subject to leasing under the Mineral Leasing Act (30 U.S.C. 181 et seq.), the value of the parcel (as otherwise established under this subsection) shall be reduced by the percentage of the applicable Federal revenue sharing obligation under section 35(a) of the Mineral Leasing Act (30 U.S.C. 191(a)).

(2) LIMITATION.—An adjustment under clause (1) shall not be considered to be a property right of the State.

(3) APPROVAL.—An appraisal conducted under paragraph (1) shall be submitted to the Secretary and the State for approval.

(6) DURATION.—An appraisal conducted under paragraph (1) shall remain valid for 3 years after the date on which the appraisal is approved by the Secretary and the State.

(7) COST OF APPRAISAL.—

(A) IN GENERAL.—The cost of an appraisal conducted under paragraph (1) shall be paid equally by the Secretary and the State.

(B) REIMBURSEMENT BY SECRETARY.—If the State retains an appraiser in accordance with paragraph (2), the Secretary shall reimburse the State in an amount equal to 50 percent of the costs incurred by the State.

(d) CONVEYANCE OF TITLE.—It is the intent of Congress that the land exchange authorized under subsection (b)(1) shall be completed not later than 1 year after the date of final approval by the Secretary and the State of the appraisals conducted under subsection (c).

(e) PUBLIC INSPECTION AND NOTICE.—

(1) PUBLIC INSPECTION.—Not later than 30 days before the date of any exchange of Federal land and non-Federal land under subsection (b)(1), all final appraisals and appraisal reviews for the land to be exchanged shall be available for public review at the office of the State Director of the Bureau of Land Management in the State of Utah.

(2) NOTICE.—The Secretary shall make available on the public website of the Secretary, and the Secretary or the State, as applicable, shall publish in a newspaper of general circulation in Salt Lake County, Utah, a notice that the appraisals conducted under subsection (c) are available for public inspection.

(f) EQUAL VALUE EXCHANGE.—

(1) IN GENERAL.—The value of the Federal land and non-Federal land to be exchanged under subsection (b)(1)—

(A) shall be equal; or

(B) shall be made equal in accordance with paragraph (2).

(2) EQUALIZATION.—

(A) SURPLUS OF FEDERAL LAND.—With respect to any Federal land and non-Federal land to be exchanged under subsection (b)(1), if the value of the Federal land exceeds the value of the non-Federal land, the value of the Federal land and non-Federal land shall be equalized by—

(i) the State conveying to the Secretary, as necessary to equalize the value of the Federal land and non-Federal land, after the acquisition of all State trust land located within the wilderness areas or recreation area designated by this part, State trust land located within any of the wilderness areas or national conservation areas in Washington County, Utah, established under subtitle O of title I of the Omnibus Public Land Management Act of 2009 (Public Law 111-11; 123 Stat. 1075); and

(ii) the State, to the extent necessary to equalize any remaining imbalance of value after all available Washington County, Utah, land described in clause (i) has been conveyed to the Secretary, conveying to the Secretary additional State trust land as identified and agreed on by the Secretary and the State.

(B) SURPLUS OF NON-FEDERAL LAND.—If the value of the non-Federal land exceeds the value of the Federal land, the value of the Federal land and the non-Federal land shall be equalized—

(i) by the Secretary making a cash equalization payment to the State, in accordance with section 206(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(b)); or

(ii) by removing non-Federal land from the exchange.

(g) INDIAN TRIBES.—The Secretary shall consult with any federally recognized Indian Tribe in the vicinity of the Federal land and

non-Federal land to be exchanged under subsection (b)(1) before the completion of the land exchange.

(h) APPURTENANT WATER RIGHTS.—Any conveyance of a parcel of Federal land or non-Federal land under subsection (b)(1) shall include the conveyance of water rights appurtenant to the parcel conveyed.

(i) GRAZING PERMITS.—

(1) IN GENERAL.—If the Federal land or non-Federal land exchanged under subsection (b)(1) is subject to a lease, permit, or contract for the grazing of domestic livestock in effect on the date of acquisition, the Secretary and the State shall allow the grazing to continue for the remainder of the term of the lease, permit, or contract, subject to the related terms and conditions of user agreements, including permitted stocking rates, grazing fee levels, access rights, and ownership and use of range improvements.

(2) RENEWAL.—To the extent allowed by Federal or State law, on expiration of any grazing lease, permit, or contract described in paragraph (1), the holder of the lease, permit, or contract shall be entitled to a preference right to renew the lease, permit, or contract.

(3) CANCELLATION.—

(A) IN GENERAL.—Nothing in this section prevents the Secretary or the State from canceling or modifying a grazing permit, lease, or contract if the Federal land or non-Federal land subject to the permit, lease, or contract is sold, conveyed, transferred, or leased for non-grazing purposes by the Secretary or the State.

(B) LIMITATION.—Except to the extent reasonably necessary to accommodate surface operations in support of mineral development, the Secretary or the State shall not cancel or modify a grazing permit, lease, or contract because the land subject to the permit, lease, or contract has been leased for mineral development.

(4) BASE PROPERTIES.—If non-Federal land conveyed by the State under subsection (b)(1) is used by a grazing permittee or lessee to meet the base property requirements for a Federal grazing permit or lease, the land shall continue to qualify as a base property for—

(A) the remaining term of the lease or permit; and

(B) the term of any renewal or extension of the lease or permit.

(j) WITHDRAWAL OF FEDERAL LAND FROM MINERAL ENTRY PRIOR TO EXCHANGE.—Subject to valid existing rights, the Federal land to be conveyed to the State under subsection (b)(1) is withdrawn from mineral location, entry, and patent under the mining laws pending conveyance of the Federal land to the State.

#### Subtitle D—Wild and Scenic Rivers

### SEC. 1301. LOWER FARMINGTON RIVER AND SALMON BROOK WILD AND SCENIC RIVER.

(a) FINDINGS.—Congress finds that—

(1) the Lower Farmington River and Salmon Brook Study Act of 2005 (Public Law 109-370) authorized the study of the Farmington River downstream from the segment designated as a recreational river by section 3(a)(156) of the Wild and Scenic Rivers Act (16 U.S.C. 1277(a)(156)) to its confluence with the Connecticut River, and the segment of the Salmon Brook including its main stem and east and west branches for potential inclusion in the National Wild and Scenic Rivers System;

(2) the studied segments of the Lower Farmington River and Salmon Brook support natural, cultural, and recreational resources of exceptional significance to the citizens of Connecticut and the Nation;

(3) concurrently with the preparation of the study, the Lower Farmington River and

Salmon Brook Wild and Scenic Study Committee prepared the Lower Farmington River and Salmon Brook Management Plan, June 2011 (referred to in this section as the “management plan”), that establishes objectives, standards, and action programs that will ensure the long-term protection of the outstanding values of the river segments without Federal management of affected lands not owned by the United States;

(4) the Lower Farmington River and Salmon Brook Wild and Scenic Study Committee has voted in favor of Wild and Scenic River designation for the river segments, and has included this recommendation as an integral part of the management plan;

(5) there is strong local support for the protection of the Lower Farmington River and Salmon Brook, including votes of support for Wild and Scenic designation from the governing bodies of all ten communities abutting the study area;

(6) the State of Connecticut General Assembly has endorsed the designation of the Lower Farmington River and Salmon Brook as components of the National Wild and Scenic Rivers System (Public Act 08-37); and

(7) the Rainbow Dam and Reservoir are located entirely outside of the river segment designated by subsection (b), and, based on the findings of the study of the Lower Farmington River pursuant to Public Law 109-370, this hydroelectric project (including all aspects of its facilities, operations, and transmission lines) is compatible with the designation made by subsection (b).

(b) DESIGNATION.—Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) (as amended by section 1241(a)) is amended by adding at the end the following:

“(225) LOWER FARMINGTON RIVER AND SALMON BROOK, CONNECTICUT.—Segments of the main stem and its tributary, Salmon Brook, totaling approximately 62 miles, to be administered by the Secretary of the Interior as follows:

“(A) The approximately 27.2-mile segment of the Farmington River beginning 0.2 miles below the tailrace of the Lower Collinsville Dam and extending to the site of the Spoonville Dam in Bloomfield and East Granby as a recreational river.

“(B) The approximately 8.1-mile segment of the Farmington River extending from 0.5 miles below the Rainbow Dam to the confluence with the Connecticut River in Windsor as a recreational river.

“(C) The approximately 2.4-mile segment of the main stem of Salmon Brook extending from the confluence of the East and West Branches to the confluence with the Farmington River as a recreational river.

“(D) The approximately 12.6-mile segment of the West Branch of Salmon Brook extending from its headwaters in Hartland, Connecticut, to its confluence with the East Branch of Salmon Brook as a recreational river.

“(E) The approximately 11.4-mile segment of the East Branch of Salmon Brook extending from the Massachusetts-Connecticut State line to the confluence with the West Branch of Salmon Brook as a recreational river.”.

(c) MANAGEMENT.—

(1) IN GENERAL.—The river segments designated by subsection (b) shall be managed in accordance with the management plan and such amendments to the management plan as the Secretary determines are consistent with this section. The management plan shall be deemed to satisfy the requirements for a comprehensive management plan pursuant to section 3(d) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(d)).

(2) COMMITTEE.—The Secretary shall coordinate the management responsibilities of the Secretary under this section with the

Lower Farmington River and Salmon Brook Wild and Scenic Committee, as specified in the management plan.

(3) COOPERATIVE AGREEMENTS.—

(A) IN GENERAL.—In order to provide for the long-term protection, preservation, and enhancement of the river segment designated by subsection (b), the Secretary is authorized to enter into cooperative agreements pursuant to sections 10(e) and 11(b)(1) of the Wild and Scenic Rivers Act (16 U.S.C. 1281(e), 1282(b)(1)) with—

(i) the State of Connecticut;

(ii) the towns of Avon, Bloomfield, Burlington, East Granby, Farmington, Granby, Hartland, Simsbury, and Windsor in Connecticut; and

(iii) appropriate local planning and environmental organizations.

(B) CONSISTENCY.—All cooperative agreements provided for under this section shall be consistent with the management plan and may include provisions for financial or other assistance from the United States.

(4) LAND MANAGEMENT.—

(A) ZONING ORDINANCES.—For the purposes of the segments designated in subsection (b), the zoning ordinances adopted by the towns in Avon, Bloomfield, Burlington, East Granby, Farmington, Granby, Hartland, Simsbury, and Windsor in Connecticut, including provisions for conservation of floodplains, wetlands, and watercourses associated with the segments, shall be deemed to satisfy the standards and requirements of section 6(c) of the Wild and Scenic Rivers Act (16 U.S.C. 1277(c)).

(B) ACQUISITION OF LAND.—The provisions of section 6(c) of the Wild and Scenic Rivers Act (16 U.S.C. 1277(c)) that prohibit Federal acquisition of lands by condemnation shall apply to the segments designated in subsection (b). The authority of the Secretary to acquire lands for the purposes of the segments designated in subsection (b) shall be limited to acquisition by donation or acquisition with the consent of the owner of the lands, and shall be subject to the additional criteria set forth in the management plan.

(5) RAINBOW DAM.—The designation made by subsection (b) shall not be construed to—

(A) prohibit, pre-empt, or abridge the potential future licensing of the Rainbow Dam and Reservoir (including any and all aspects of its facilities, operations and transmission lines) by the Federal Energy Regulatory Commission as a federally licensed hydroelectric generation project under the Federal Power Act (16 U.S.C. 791a et seq.), provided that the Commission may, in the discretion of the Commission and consistent with this section, establish such reasonable terms and conditions in a hydropower license for Rainbow Dam as are necessary to reduce impacts identified by the Secretary as invading or unreasonably diminishing the scenic, recreational, and fish and wildlife values of the segments designated by subsection (b); or

(B) affect the operation of, or impose any flow or release requirements on, the unlicensed hydroelectric facility at Rainbow Dam and Reservoir.

(6) RELATION TO NATIONAL PARK SYSTEM.—Notwithstanding section 10(c) of the Wild and Scenic Rivers Act (16 U.S.C. 1281(c)), the Lower Farmington River shall not be administered as part of the National Park System or be subject to regulations which govern the National Park System.

(d) FARMINGTON RIVER, CONNECTICUT, DESIGNATION REVISION.—Section 3(a)(156) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)(156)) is amended in the first sentence—

(1) by striking “14-mile” and inserting “15.1-mile”; and

(2) by striking “to the downstream end of the New Hartford-Canton, Connecticut town

line” and inserting “to the confluence with the Nepaug River”.

**SEC. 1302. WOOD-PAWCATUCK WATERSHED WILD AND SCENIC RIVER SEGMENTS.**

(a) DESIGNATION.—Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) (as amended by section 1301(b)) is amended by adding at the end the following:

“(226) WOOD-PAWCATUCK WATERSHED, RHODE ISLAND AND CONNECTICUT.—The following river segments within the Wood-Pawcatuck watershed, to be administered by the Secretary of the Interior, in cooperation with the Wood-Pawcatuck Wild and Scenic Rivers Stewardship Council:

“(A) The approximately 11-mile segment of the Beaver River from its headwaters in Exeter and West Greenwich, Rhode Island, to its confluence with the Pawcatuck River in Richmond, Rhode Island, as a scenic river.

“(B) The approximately 3-mile segment of the Chipuxet River from the Kingstown Road Bridge, South Kingstown, Rhode Island, to its outlet in Worden Pond, as a wild river.

“(C) The approximately 9-mile segment of the Green Fall River from its headwaters in Voluntown, Connecticut, to its confluence with the Ashaway River in Hopkinton, Rhode Island, as a scenic river.

“(D) The approximately 3-mile segment of the Ashaway River from its confluence with the Green Fall River to its confluence with the Pawcatuck River in Hopkinton, Rhode Island, as a recreational river.

“(E) The approximately 3-mile segment of the Pawcatuck River from the Worden Pond outlet in South Kingstown, Rhode Island, to the South County Trail Bridge, Charlestown and South Kingstown, Rhode Island, as a wild river.

“(F) The approximately 4-mile segment of the Pawcatuck River from South County Trail Bridge, Charlestown and South Kingstown, Rhode Island, to the Carolina Back Road Bridge in Richmond and Charlestown, Rhode Island, as a recreational river.

“(G) The approximately 21-mile segment of the Pawcatuck River from Carolina Back Road Bridge in Richmond and Charlestown, Rhode Island, to the confluence with Shunock River in Stonington, Connecticut, as a scenic river.

“(H) The approximately 8-mile segment of the Pawcatuck River from the confluence with Shunock River in Stonington, Connecticut, to the mouth of the river between Pawcatuck Point in Stonington, Connecticut, and Rhodes Point in Westerly, Rhode Island, as a recreational river.

“(I) The approximately 11-mile segment of the Queen River from its headwaters in Exeter and West Greenwich, Rhode Island, to the Kingstown Road Bridge in South Kingstown, Rhode Island, as a scenic river.

“(J) The approximately 5-mile segment of the Usquepaugh River from the Kingstown Road Bridge to its confluence with the Pawcatuck River in South Kingstown, Rhode Island, as a wild river.

“(K) The approximately 8-mile segment of the Shunock River from its headwaters in North Stonington, Connecticut, to its confluence with the Pawcatuck River as a recreational river.

“(L) The approximately 13-mile segment of the Wood River from its headwaters in Sterling and Voluntown, Connecticut, and Exeter and West Greenwich, Rhode Island, to the Arcadia Road Bridge in Hopkinton and Richmond, Rhode Island, as a wild river.

“(M) The approximately 11-mile segment of the Wood River from the Arcadia Road Bridge in Hopkinton and Richmond, Rhode Island, to the confluence with the Pawcatuck River in Charlestown, Hopkinton, and Richmond, Rhode Island, as a recreational river.”.

(b) MANAGEMENT OF RIVER SEGMENTS.—

(1) DEFINITIONS.—In this subsection:

(A) COVERED TRIBUTARY.—The term “covered tributary” means—

(i) each of Assekong Brook, Breakheart Brook, Brushy Brook, Canochet Brook, Chickasheen Brook, Cedar Swamp Brook, Fisherville Brook, Glade Brook, Glen Rock Brook, Kelly Brook, Locke Brook, Meadow Brook, Pendleton Brook, Parris Brook, Passquisett Brook, Phillips Brook, Poquiant Brook, Queens Fort Brook, Roaring Brook, Sherman Brook, Taney Brook, Tomaquag Brook, White Brook, and Wyassup Brook within the Wood-Pawcatuck watershed; and

(ii) any other perennial stream within the Wood-Pawcatuck watershed.

(B) RIVER SEGMENT.—The term “river segment” means a river segment designated by paragraph (226) of section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) (as added by subsection (a)).

(C) STEWARDSHIP PLAN.—The term “Stewardship Plan” means the plan entitled the “Wood-Pawcatuck Wild and Scenic Rivers Stewardship Plan for the Beaver, Chipuxet, Green Fall-Ashaway, Pawcatuck, Queen-Usquepaugh, Shunock, and Wood Rivers” and dated June 2018, which takes a watershed approach to the management of the river segments.

(2) WOOD-PAWCATUCK WILD AND SCENIC RIVERS STEWARDSHIP PLAN.—

(A) IN GENERAL.—The Secretary, in cooperation with the Wood-Pawcatuck Wild and Scenic Rivers Stewardship Council, shall manage the river segments in accordance with—

(i) the Stewardship Plan; and

(ii) any amendment to the Stewardship Plan that the Secretary determines is consistent with this subsection.

(B) WATERSHED APPROACH.—In furtherance of the watershed approach to resource preservation and enhancement described in the Stewardship Plan, the covered tributaries are recognized as integral to the protection and enhancement of the river segments.

(C) REQUIREMENTS FOR COMPREHENSIVE MANAGEMENT PLAN.—The Stewardship Plan shall be considered to satisfy each requirement for a comprehensive management plan required under section 3(d) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(d)).

(3) COOPERATIVE AGREEMENTS.—To provide for the long-term protection, preservation, and enhancement of each river segment, in accordance with sections 10(e) and 11(b)(1) of the Wild and Scenic Rivers Act (16 U.S.C. 1281(e), 1282(b)(1)), the Secretary may enter into cooperative agreements (which may include provisions for financial or other assistance from the Federal Government) with—

(A) the States of Connecticut and Rhode Island;

(B) political subdivisions of the States of Connecticut and Rhode Island, including—

(i) the towns of North Stonington, Sterling, Stonington, and Voluntown, Connecticut; and

(ii) the towns of Charlestown, Exeter, Hopkinton, North Kingstown, Richmond, South Kingstown, Westerly, and West Kingstown, Rhode Island;

(C) the Wood-Pawcatuck Wild and Scenic Rivers Stewardship Council; and

(D) any appropriate nonprofit organization, as determined by the Secretary.

(4) RELATION TO NATIONAL PARK SYSTEM.—Notwithstanding section 10(c) of the Wild and Scenic Rivers Act (16 U.S.C. 1281(c)), each river segment shall not be—

(A) administered as a unit of the National Park System; or

(B) subject to the laws (including regulations) that govern the administration of the National Park System.

(5) LAND MANAGEMENT.—

(A) ZONING ORDINANCES.—The zoning ordinances adopted by the towns of North Stonington, Sterling, Stonington, and Voluntown, Connecticut, and Charlestown, Exeter, Hopkinton, North Kingstown, Richmond, South Kingstown, Westerly, and West Greenwich, Rhode Island (including any provision of the zoning ordinances relating to the conservation of floodplains, wetlands, and watercourses associated with any river segment), shall be considered to satisfy the standards and requirements described in section 6(c) of the Wild and Scenic Rivers Act (16 U.S.C. 1277(c)).

(B) VILLAGES.—For purposes of section 6(c) of the Wild and Scenic Rivers Act (16 U.S.C. 1277(c)), each town described in subparagraph (A) shall be considered to be a village.

(C) ACQUISITION OF LAND.—

(i) LIMITATION OF AUTHORITY OF SECRETARY.—With respect to each river segment, the Secretary may only acquire parcels of land—

(I) by donation; or

(II) with the consent of the owner of the parcel of land.

(ii) PROHIBITION RELATING TO THE ACQUISITION OF LAND BY CONDEMNATION.—In accordance with 6(c) of the Wild and Scenic Rivers Act (16 U.S.C. 1277(c)), with respect to each river segment, the Secretary may not acquire any parcel of land by condemnation.

**SEC. 1303. NASHUA WILD AND SCENIC RIVERS, MASSACHUSETTS AND NEW HAMPSHIRE.**

(a) DESIGNATION OF WILD AND SCENIC RIVER SEGMENTS.—Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) (as amended by section 1302(a)) is amended by adding at the end the following:

“(227) NASHUA, SQUANNAHOOK, AND NISSITISSIT WILD AND SCENIC RIVERS, MASSACHUSETTS AND NEW HAMPSHIRE.—

“(A) The following segments in the Commonwealth of Massachusetts and State of New Hampshire, to be administered by the Secretary of the Interior as a scenic river:

“(i) The approximately 27-mile segment of the mainstem of the Nashua River from the confluence of the North and South Nashua Rivers in Lancaster, Massachusetts, and extending north to the Massachusetts-New Hampshire border, except as provided in subparagraph (B).

“(ii) The approximately 16.3-mile segment of the Squannacook River from its headwaters in Ash Swamp, Townsend, Massachusetts, extending downstream to the confluence of the river with the Nashua River in Shirley/Ayer, Massachusetts, except as provided in subparagraph (B).

“(iii) The approximately 9.5-mile segment of the Nissitissit River from its headwaters in Brookline, New Hampshire, to the confluence of the river with the Nashua River in Pepperell, Massachusetts.

“(B) EXCLUSION AREAS.—The designation of the river segments in subparagraph (A) shall exclude—

“(i) with respect to the Ice House hydroelectric project (FERC P-12769), from 700 feet upstream from the crest of the dam to 500 feet downstream from the crest of the dam;

“(ii) with respect to the Pepperell hydroelectric project (FERC P12721), from 9,240 feet upstream from the crest of the dam to 1,000 feet downstream from the crest of the dam; and

“(iii) with respect to the Hollingsworth and Vose dam (non-FERC), from 1,200 feet upstream from the crest of the dam to 2,665 feet downstream from the crest of the dam.”.

(b) MANAGEMENT.—

(1) PROCESS.—

(A) IN GENERAL.—The river segments designated by paragraph (227) of section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C.

1274(a)) (as added by subsection (a)) shall be managed in accordance with—

(i) the Nashua, Squannacook, and Nissitissit Rivers Stewardship Plan developed pursuant to the study described in section 5(b)(21) of the Wild and Scenic Rivers Act (16 U.S.C. 1276(b)(21)) (referred to in this subsection as the “management plan”), dated February 15, 2018; and

(ii) such amendments to the management plan as the Secretary determines are consistent with this section and as are approved by the Nashua, Squannacook, and Nissitissit Rivers Stewardship Council (referred to in this subsection as the “Stewardship Council”).

(B) COMPREHENSIVE MANAGEMENT PLAN.—The management plan shall be considered to satisfy the requirements for a comprehensive management plan under section 3(d) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(d)).

(2) COMMITTEE.—The Secretary shall coordinate the management responsibilities of the Secretary under this section with the Stewardship Council, as specified in the management plan.

(3) COOPERATIVE AGREEMENTS.—

(A) IN GENERAL.—In order to provide for the long-term protection, preservation, and enhancement of the river segments designated by paragraph (227) of section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) (as added by subsection (a)), the Secretary may enter into cooperative agreements pursuant to sections 10(e) and 11(b)(1) of that Act (16 U.S.C. 1281(e), 1282(b)(1)) with—

(i) the Commonwealth of Massachusetts and the State of New Hampshire;

(ii) the municipalities of—

(I) Ayer, Bolton, Dunstable, Groton, Harvard, Lancaster, Pepperell, Shirley, and Townsend in Massachusetts; and

(II) Brookline and Hollis in New Hampshire; and

(iii) appropriate local, regional, State, or multistate, planning, environmental, or recreational organizations.

(B) CONSISTENCY.—Each cooperative agreement entered into under this paragraph shall be consistent with the management plan and may include provisions for financial or other assistance from the United States.

(4) EFFECT ON WORKING DAMS.—

(A) IN GENERAL.—The designation of the river segments by paragraph (227) of section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) (as added by subsection (a)), does not—

(i) impact or alter the existing terms of permitting, licensing, or operation of—

(I) the Pepperell hydroelectric project (FERC Project P-12721, Nashua River, Pepperell, MA);

(II) the Ice House hydroelectric project (FERC Project P-12769, Nashua River, Ayer, MA); or

(III) the Hollingsworth and Vose Dam (non-FERC industrial facility, Squannacook River, West Groton, MA) as further described in the management plan (Appendix A, “Working Dams”); or

(ii) preclude the Federal Energy Regulatory Commission from licensing, relicensing, or otherwise authorizing the operation or continued operation of the Pepperell and Ice House hydroelectric projects under the terms of licenses or exemptions in effect on the date of enactment of this Act; or

(iii) limit actions taken to modernize, upgrade, or carry out other changes to such projects authorized pursuant to clause (i), subject to written determination by the Secretary that the changes are consistent with the purposes of the designation.

(5) LAND MANAGEMENT.—

(A) ZONING ORDINANCES.—For the purpose of the segments designated by paragraph (227) of section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) (as added by subsection (a)), the zoning ordinances adopted by the municipalities described in paragraph (3)(A)(ii), including provisions for conservation of floodplains, wetlands, and watercourses associated with the segments, shall be deemed to satisfy the standards and requirements of section 6(c) of the Wild and Scenic Rivers Act (16 U.S.C. 1277(c)).

(B) ACQUISITIONS OF LANDS.—The authority of the Secretary to acquire land for the purposes of the segments designated by paragraph (227) of section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) (as added by subsection (a)) shall be—

(i) limited to acquisition by donation or acquisition with the consent of the owner of the land; and

(ii) subject to the additional criteria set forth in the management plan.

(C) NO CONDEMNATION.—No land or interest in land within the boundary of the river segments designated by paragraph (227) of section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) (as added by subsection (a)) may be acquired by condemnation.

(6) RELATION TO THE NATIONAL PARK SYSTEM.—Notwithstanding section 10(c) of the Wild and Scenic Rivers Act (16 U.S.C. 1281(c)), each segment of the Nashua, Squannacook, and Nissitissit Rivers designated as a component of the Wild and Scenic Rivers System under this section shall not—

(A) be administered as a unit of the National Park System; or

(B) be subject to regulations that govern the National Park System.

#### **Subtitle E—California Desert Protection and Recreation**

##### **SEC. 1401. DEFINITIONS.**

In this subtitle:

(1) CONSERVATION AREA.—The term “Conservation Area” means the California Desert Conservation Area.

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

(A) the Secretary, with respect to land administered by the Department of the Interior; or

(B) the Secretary of Agriculture, with respect to National Forest System land.

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

#### **PART I—DESIGNATION OF WILDERNESS IN THE CALIFORNIA DESERT CONSERVATION AREA**

##### **SEC. 1411. CALIFORNIA DESERT CONSERVATION AND RECREATION.**

(a) DESIGNATION OF WILDERNESS AREAS TO BE ADMINISTERED BY THE BUREAU OF LAND MANAGEMENT.—Section 102 of the California Desert Protection Act of 1994 (16 U.S.C. 1132 note; Public Law 103-433; 108 Stat. 4472) is amended by adding at the end the following:

“(70) AVAWATZ MOUNTAINS WILDERNESS.—Certain land in the California Desert Conservation Area administered by the Director of the Bureau of Land Management, comprising approximately 89,500 acres, as generally depicted on the map entitled ‘Proposed Avawatz Mountains Wilderness’ and dated November 7, 2018, to be known as the ‘Avawatz Mountains Wilderness’.

“(71) GREAT FALLS BASIN WILDERNESS.—Certain land in the California Desert Conservation Area administered by the Director of the Bureau of Land Management, comprising approximately 7,810 acres, as generally depicted on the map entitled ‘Proposed Great Falls Basin Wilderness’ and dated November 7, 2018, to be known as the ‘Great Falls Basin Wilderness’.

“(72) SODA MOUNTAINS WILDERNESS.—Certain land in the California Desert Conserva-

tion Area, administered by the Bureau of Land Management, comprising approximately 80,090 acres, as generally depicted on the map entitled ‘Proposed Soda Mountains Wilderness’ and dated November 7, 2018, to be known as the ‘Soda Mountains Wilderness’.

“(73) MILPITAS WASH WILDERNESS.—Certain land in the California Desert Conservation Area, administered by the Bureau of Land Management, comprising approximately 17,250 acres, depicted as ‘Proposed Milpitas Wash Wilderness’ on the map entitled ‘Proposed Vinagre Wash Special Management Area and Proposed Wilderness’ and dated December 4, 2018, to be known as the ‘Milpitas Wash Wilderness’.

“(74) BUZZARDS PEAK WILDERNESS.—Certain land in the California Desert Conservation Area, administered by the Bureau of Land Management, comprising approximately 11,840 acres, depicted as ‘Proposed Buzzards Peak Wilderness’ on the map entitled ‘Proposed Vinagre Wash Special Management Area and Proposed Wilderness’ and dated December 4, 2018, to be known as the ‘Buzzards Peak Wilderness’.

(b) ADDITIONS TO EXISTING WILDERNESS AREAS ADMINISTERED BY THE BUREAU OF LAND MANAGEMENT.—In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.), the following land in the State is designated as wilderness and as components of the National Wilderness Preservation System:

(1) GOLDEN VALLEY WILDERNESS.—Certain land in the Conservation Area administered by the Director of the Bureau of Land Management, comprising approximately 1,250 acres, as generally depicted on the map entitled “Proposed Golden Valley Wilderness Addition” and dated November 7, 2018, which shall be added to and administered as part of the “Golden Valley Wilderness”.

(2) KINGSTON RANGE WILDERNESS.—Certain land in the Conservation Area administered by the Director of the Bureau of Land Management, comprising approximately 52,410 acres, as generally depicted on the map entitled “Proposed Kingston Range Wilderness Additions” and dated November 7, 2018, which shall be added to and administered as part of the “Kingston Range Wilderness”.

(3) PALO VERDE MOUNTAINS WILDERNESS.—Certain land in the Conservation Area administered by the Director of the Bureau of Land Management, comprising approximately 9,350 acres, depicted as “Proposed Palo Verde Mountains Wilderness Additions” on the map entitled “Proposed Vinagre Wash Special Management Area and Proposed Wilderness” and dated December 4, 2018, which shall be added to and administered as part of the “Palo Verde Mountains Wilderness”.

(4) INDIAN PASS MOUNTAINS WILDERNESS.—Certain land in the Conservation Area administered by the Director of the Bureau of Land Management, comprising approximately 10,860 acres, depicted as “Proposed Indian Pass Wilderness Additions” on the map entitled “Proposed Vinagre Wash Special Management Area and Proposed Wilderness” and dated December 4, 2018, which shall be added to and administered as part of the “Indian Pass Mountains Wilderness”.

(c) DESIGNATION OF WILDERNESS AREAS TO BE ADMINISTERED BY THE NATIONAL PARK SERVICE.—In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.) the following land in Death Valley National Park is designated as wilderness and as a component of the National Wilderness Preservation System, which shall be added to, and administered as part of the Death Valley National Park Wilderness established by section 601(a)(1) of the California Desert Protection Act of 1994 (16 U.S.C. 1132 note; Public Law 103-433; 108 Stat. 4496):



(1) DEATH VALLEY NATIONAL PARK WILDERNESS ADDITIONS-NORTH EUREKA VALLEY.—Approximately 11,496 acres, as generally depicted on the map entitled “Death Valley National Park Proposed Wilderness Area-North Eureka Valley”, numbered 143/100,082D, and dated November 1, 2018.

(2) DEATH VALLEY NATIONAL PARK WILDERNESS ADDITIONS-IBEX.—Approximately 23,650 acres, as generally depicted on the map entitled “Death Valley National Park Proposed Wilderness Area-Ibex”, numbered 143/100,081D, and dated November 1, 2018.

(3) DEATH VALLEY NATIONAL PARK WILDERNESS ADDITIONS-PANAMINT VALLEY.—Approximately 4,807 acres, as generally depicted on the map entitled “Death Valley National Park Proposed Wilderness Area-Panamint Valley”, numbered 143/100,083D, and dated November 1, 2018.

(4) DEATH VALLEY NATIONAL PARK WILDERNESS ADDITIONS-WARM SPRINGS.—Approximately 10,485 acres, as generally depicted on the map entitled “Death Valley National Park Proposed Wilderness Area-Warm Spring Canyon/Galen Canyon”, numbered 143/100,084D, and dated November 1, 2018.

(5) DEATH VALLEY NATIONAL PARK WILDERNESS ADDITIONS-AXE HEAD.—Approximately 8,638 acres, as generally depicted on the map entitled “Death Valley National Park Proposed Wilderness Area-Axe Head”, numbered 143/100,085D, and dated November 1, 2018.

(6) DEATH VALLEY NATIONAL PARK WILDERNESS ADDITIONS-BOWLING ALLEY.—Approximately 28,923 acres, as generally depicted on the map entitled “Death Valley National Park Proposed Wilderness Area-Bowling Alley”, numbered 143/128,606A, and dated November 1, 2018.

(d) ADDITIONS TO EXISTING WILDERNESS AREA ADMINISTERED BY THE FOREST SERVICE.—

(1) IN GENERAL.—In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.), the land described in paragraph (2)—

(A) is designated as wilderness and as a component of the National Wilderness Preservation System; and

(B) shall be added to and administered as part of the San Geronio Wilderness established by the Wilderness Act (16 U.S.C. 1131 et seq.).

(2) DESCRIPTION OF LAND.—The land referred to in paragraph (1) is certain land in the San Bernardino National Forest, comprising approximately 7,141 acres, as generally depicted on the map entitled “San Geronio Wilderness Additions—Proposed” and dated November 7, 2018.

(3) FIRE MANAGEMENT AND RELATED ACTIVITIES.—

(A) IN GENERAL.—The Secretary may carry out such activities in the wilderness area designated by paragraph (1) as are necessary for the control of fire, insects, and disease, in accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)) and House Report 98-40 of the 98th Congress.

(B) FUNDING PRIORITIES.—Nothing in this subsection limits the provision of any funding for fire or fuel management in the wilderness area designated by paragraph (1).

(C) REVISION AND DEVELOPMENT OF LOCAL FIRE MANAGEMENT PLANS.—As soon as practicable after the date of enactment of this Act, the Secretary shall amend the local fire management plans that apply to the wilderness area designated by paragraph (1).

(D) ADMINISTRATION.—In accordance with subparagraph (A) and other applicable Federal law, to ensure a timely and efficient response to fire emergencies in the wilderness area designated by paragraph (1), the Secretary shall—

(i) not later than 1 year after the date of enactment of this Act, establish agency approval procedures (including appropriate del-

egations of authority to the Forest Supervisor, District Manager, or other agency officials) for responding to fire emergencies in the wilderness area designated by paragraph (1); and

(ii) enter into agreements with appropriate State or local firefighting agencies relating to the wilderness area.

(e) EFFECT ON UTILITY FACILITIES AND RIGHTS-OF-WAY.—Nothing in this section or an amendment made by this section affects or precludes the renewal or reauthorization of any valid existing right-of-way or customary operation, maintenance, repair, upgrading, or replacement activities in a right-of-way acquired by or issued, granted, or permitted to the Southern California Edison Company or successors or assigns of the Southern California Edison Company.

(f) RELEASE OF WILDERNESS STUDY AREAS.—

(1) FINDING.—Congress finds that, for purposes of section 603 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782), any portion of a wilderness study area described in paragraph (2) that is not designated as a wilderness area or a wilderness addition by this subtitle (including an amendment made by this subtitle) or any other Act enacted before the date of enactment of this Act has been adequately studied for wilderness designation.

(2) DESCRIPTION OF STUDY AREAS.—The study areas referred to in subsection (a) are—

(A) the Cady Mountains Wilderness Study Area;

(B) the Soda Mountains Wilderness Study Area;

(C) the Kingston Range Wilderness Study Area;

(D) the Avawatz Mountain Wilderness Study Area;

(E) the Death Valley 17 Wilderness Study Area; and

(F) the Great Falls Basin Wilderness Study Area.

(3) RELEASE.—The following are no longer subject to section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)):

(A) Any portion of a wilderness study area described in paragraph (2) that is not designated as a wilderness area or a wilderness addition by this subtitle (including an amendment made by this subtitle) or any other Act enacted before the date of enactment of this Act.

(B) Any portion of a wilderness study area described in paragraph (2) that is not transferred to the administrative jurisdiction of the National Park Service for inclusion in a unit of the National Park System by this subtitle (including an amendment made by this subtitle) or any other Act enacted before the date of enactment of this Act.

## PART II—DESIGNATION OF SPECIAL MANAGEMENT AREA

### SEC. 1421. VINAGRE WASH SPECIAL MANAGEMENT AREA.

Title I of the California Desert Protection Act of 1994 (16 U.S.C. 1132 note; Public Law 103-433; 108 Stat. 4472) is amended by adding at the end the following:

#### “SEC. 109. VINAGRE WASH SPECIAL MANAGEMENT AREA.

“(a) DEFINITIONS.—In this section:

“(1) MANAGEMENT AREA.—The term ‘Management Area’ means the Vinagre Wash Special Management Area established by subsection (b).

“(2) MAP.—The term ‘map’ means the map entitled ‘Proposed Vinagre Wash Special Management Area and Proposed Wilderness’ and dated December 4, 2018.

“(3) PUBLIC LAND.—The term ‘public land’ has the meaning given the term ‘public

lands’ in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702).

“(4) STATE.—The term ‘State’ means the State of California.

“(b) ESTABLISHMENT.—There is established the Vinagre Wash Special Management Area in the State, to be managed by the Secretary.

“(c) PURPOSE.—The purpose of the Management Area is to conserve, protect, and enhance—

“(1) the plant and wildlife values of the Management Area; and

“(2) the outstanding and nationally significant ecological, geological, scenic, recreational, archaeological, cultural, historic, and other resources of the Management Area.

“(d) BOUNDARIES.—The Management Area shall consist of the public land in Imperial County, California, comprising approximately 81,880 acres, as generally depicted on the map as ‘Proposed Special Management Area’.

“(e) MAP; LEGAL DESCRIPTION.—

“(1) IN GENERAL.—As soon as practicable, but not later than 3 years, after the date of enactment of this section, the Secretary shall submit a map and legal description of the Management Area to—

“(A) the Committee on Natural Resources of the House of Representatives; and

“(B) the Committee on Energy and Natural Resources of the Senate.

“(2) EFFECT.—The map and legal description submitted under paragraph (1) shall have the same force and effect as if included in this section, except that the Secretary may correct any errors in the map and legal description.

“(3) AVAILABILITY.—Copies of the map submitted under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

“(f) MANAGEMENT.—

“(1) IN GENERAL.—The Secretary shall manage the Management Area—

“(A) in a manner that conserves, protects, and enhances the purposes for which the Management Area is established; and

“(B) in accordance with—

“(i) this section;

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

“(iii) other applicable laws.

“(2) USES.—The Secretary shall allow only those uses that are consistent with the purposes of the Management Area, including hiking, camping, hunting, and sightseeing and the use of motorized vehicles, mountain bikes, and horses on designated routes in the Management Area in a manner that—

“(A) is consistent with the purpose of the Management Area described in subsection (c);

“(B) ensures public health and safety; and

“(C) is consistent with all applicable laws (including regulations), including the Desert Renewable Energy Conservation Plan.

“(3) OFF-HIGHWAY VEHICLE USE.—

“(A) IN GENERAL.—Subject to subparagraphs (B) and (C) and all other applicable laws, the use of off-highway vehicles shall be permitted on routes in the Management Area as generally depicted on the map.

“(B) CLOSURE.—The Secretary may close or permanently reroute a portion of a route described in subparagraph (A)—

“(i) to prevent, or allow for restoration of, resource damage;

“(ii) to protect Tribal cultural resources, including the resources identified in the Tribal cultural resources management plan developed under section 705(d);

“(iii) to address public safety concerns; or

“(iv) as otherwise required by law.

“(C) DESIGNATION OF ADDITIONAL ROUTES.—During the 3-year period beginning on the date of enactment of this section, the Secretary—

“(i) shall accept petitions from the public regarding additional routes for off-highway vehicles; and

“(ii) may designate additional routes that the Secretary determines—

“(I) would provide significant or unique recreational opportunities; and

“(II) are consistent with the purposes of the Management Area.

“(4) WITHDRAWAL.—Subject to valid existing rights, all Federal land within the Management Area is withdrawn from—

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

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

“(C) right-of-way, leasing, or disposition under all laws relating to—

“(i) minerals and mineral materials; or

“(ii) solar, wind, and geothermal energy.

“(5) NO BUFFER ZONE.—The establishment of the Management Area shall not—

“(A) create a protective perimeter or buffer zone around the Management Area; or

“(B) preclude uses or activities outside the Management Area that are permitted under other applicable laws, even if the uses or activities are prohibited within the Management Area.

“(6) NOTICE OF AVAILABLE ROUTES.—The Secretary shall ensure that visitors to the Management Area have access to adequate notice relating to the availability of designated routes in the Management Area through—

“(A) the placement of appropriate signage along the designated routes;

“(B) the distribution of maps, safety education materials, and other information that the Secretary determines to be appropriate; and

“(C) restoration of areas that are not designated as open routes, including vertical mulching.

“(7) STEWARDSHIP.—The Secretary, in consultation with Indian Tribes and other interests, shall develop a program to provide opportunities for monitoring and stewardship of the Management Area to minimize environmental impacts and prevent resource damage from recreational use, including volunteer assistance with—

“(A) route signage;

“(B) restoration of closed routes;

“(C) protection of Management Area resources; and

“(D) recreation education.

“(8) PROTECTION OF TRIBAL CULTURAL RESOURCES.—Not later than 2 years after the date of enactment of this section, the Secretary, in accordance with chapter 2003 of title 54, United States Code, and any other applicable law, shall—

“(A) prepare and complete a Tribal cultural resources survey of the Management Area; and

“(B) consult with the Quechan Indian Nation and other Indian Tribes demonstrating ancestral, cultural, or other ties to the resources within the Management Area on the development and implementation of the Tribal cultural resources survey under subparagraph (A).

“(9) MILITARY USE.—The Secretary may authorize use of the non-wilderness portion of the Management Area by the Secretary of the Navy for Naval Special Warfare Tactical Training, including long-range small unit training and navigation, vehicle concealment, and vehicle sustainment training, consistent with this section and other applicable laws.”.

### PART III—NATIONAL PARK SYSTEM ADDITIONS

#### SEC. 1431. DEATH VALLEY NATIONAL PARK BOUNDARY REVISION.

(a) IN GENERAL.—The boundary of Death Valley National Park is adjusted to include—

(1) the approximately 28,923 acres of Bureau of Land Management land in San Bernardino County, California, abutting the southern end of the Death Valley National Park that lies between Death Valley National Park to the north and Ft. Irwin Military Reservation to the south and which runs approximately 34 miles from west to east, as depicted on the map entitled “Death Valley National Park Proposed Boundary Addition-Bowling Alley”, numbered 143/128,605A, and dated November 1, 2018; and

(2) the approximately 6,369 acres of Bureau of Land Management land in Inyo County, California, located in the northeast area of Death Valley National Park that is within, and surrounded by, land under the jurisdiction of the Director of the National Park Service, as depicted on the map entitled “Death Valley National Park Proposed Boundary Addition-Crater”, numbered 143/100,079D, and dated November 1, 2018.

(b) AVAILABILITY OF MAP.—The maps described in paragraphs (1) and (2) of subsection (a) shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(c) ADMINISTRATION.—The Secretary—

(1) shall administer any land added to Death Valley National Park under subsection (a)—

(A) as part of Death Valley National Park; and

(B) in accordance with applicable laws (including regulations); and

(2) may enter into a memorandum of understanding with Inyo County, California, to permit operationally feasible, ongoing access to and use (including material storage and excavation) of existing gravel pits along Saline Valley Road within Death Valley National Park for road maintenance and repairs in accordance with applicable laws (including regulations).

(d) MORMON PEAK MICROWAVE FACILITY.—Title VI of the California Desert Protection Act of 1994 (16 U.S.C. 1132 note; Public Law 103-433; 108 Stat. 4496) is amended by adding at the end the following:

#### “SEC. 604. MORMON PEAK MICROWAVE FACILITY.

“The designation of the Death Valley National Park Wilderness by section 601(a)(1) shall not preclude the operation and maintenance of the Mormon Peak Microwave Facility.”.

#### SEC. 1432. MOJAVE NATIONAL PRESERVE.

The boundary of the Mojave National Preserve is adjusted to include the 25 acres of Bureau of Land Management land in Baker, California, as depicted on the map entitled “Mojave National Preserve Proposed Boundary Addition”, numbered 170/100,199A, and dated November 1, 2018.

#### SEC. 1433. JOSHUA TREE NATIONAL PARK.

(a) BOUNDARY ADJUSTMENT.—The boundary of the Joshua Tree National Park is adjusted to include—

(1) the approximately 2,879 acres of land managed by the Bureau of Land Management that are depicted as “BLM Proposed Boundary Addition” on the map entitled “Joshua Tree National Park Proposed Boundary Additions”, numbered 156/149,375, and dated November 1, 2018; and

(2) the approximately 1,639 acres of land that are depicted as “MDLT Proposed Boundary Addition” on the map entitled “Joshua Tree National Park Proposed Boundary Additions”, numbered 156/149,375, and dated November 1, 2018.

(b) AVAILABILITY OF MAPS.—The map described in subsection (a) and the map depicting the 25 acres described in subsection (c)(2) shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(c) ADMINISTRATION.—

(1) IN GENERAL.—The Secretary shall administer any land added to the Joshua Tree National Park under subsection (a) and the additional land described in paragraph (2)—

(A) as part of Joshua Tree National Park; and

(B) in accordance with applicable laws (including regulations).

(2) DESCRIPTION OF ADDITIONAL LAND.—The additional land referred to in paragraph (1) is the 25 acres of land—

(A) depicted on the map entitled “Joshua Tree National Park Boundary Adjustment Map”, numbered 156/80,049, and dated April 1, 2003;

(B) added to Joshua Tree National Park by the notice of the Department of the Interior of August 28, 2003 (68 Fed. Reg. 51799); and

(C) more particularly described as lots 26, 27, 28, 33, and 34 in sec. 34, T. 1 N., R. 8 E., San Bernardino Meridian.

(d) SOUTHERN CALIFORNIA EDISON COMPANY ENERGY TRANSPORT FACILITIES AND RIGHTS-OF-WAY.—

(1) IN GENERAL.—Nothing in this section affects any valid right-of-way for the customary operation, maintenance, upgrade, repair, relocation within an existing right-of-way, replacement, or other authorized energy transport facility activities in a right-of-way issued, granted, or permitted to the Southern California Edison Company or the successors or assigns of the Southern California Edison Company that is located on land described in paragraphs (1) and (2) of subsection (a), including, at a minimum, the use of mechanized vehicles, helicopters, or other aerial devices.

(2) UPGRADES AND REPLACEMENTS.—Nothing in this section prohibits the upgrading or replacement of—

(A) Southern California Edison Company energy transport facilities, including the energy transport facilities referred to as the Jellystone, Burnt Mountain, Whitehorn, Allegra, and Utah distribution circuits rights-of-way; or

(B) an energy transport facility in rights-of-way issued, granted, or permitted by the Secretary adjacent to Southern California Edison Joshua Tree Utility Facilities.

(3) PUBLICATION OF PLANS.—Not later than the date that is 1 year after the date of enactment of this Act or the issuance of a new energy transport facility right-of-way within the Joshua Tree National Park, whichever is earlier, the Secretary, in consultation with the Southern California Edison Company, shall publish plans for regular and emergency access by the Southern California Edison Company to the rights-of-way of the Southern California Edison Company within Joshua Tree National Park.

(e) VISITOR CENTER.—Title IV of the California Desert Protection Act of 1994 (16 U.S.C. 410aaa-21 et seq.) is amended by adding at the end the following:

#### “SEC. 408. VISITOR CENTER.

“(a) IN GENERAL.—The Secretary may acquire not more than 5 acres of land and interests in land, and improvements on the land and interests, outside the boundaries of the park, in the unincorporated village of Joshua Tree, for the purpose of operating a visitor center.

“(b) BOUNDARY.—The Secretary shall modify the boundary of the park to include the land acquired under this section as a non-contiguous parcel.

“(c) ADMINISTRATION.—Land and facilities acquired under this section—

“(1) may include the property owned (as of the date of enactment of this section) by the Joshua Tree National Park Association and commonly referred to as the ‘Joshua Tree National Park Visitor Center’;

“(2) shall be administered by the Secretary as part of the park; and

“(3) may be acquired only with the consent of the owner, by donation, purchase with donated or appropriated funds, or exchange.”.

#### **PART IV—OFF-HIGHWAY VEHICLE RECREATION AREAS**

##### **SEC. 1441. OFF-HIGHWAY VEHICLE RECREATION AREAS.**

Public Law 103-433 is amended by inserting after title XII (16 U.S.C. 410bbb et seq.) the following:

#### **“TITLE XIII—OFF-HIGHWAY VEHICLE RECREATION AREAS**

##### **“SEC. 1301. DESIGNATION OF OFF-HIGHWAY VEHICLE RECREATION AREAS.**

“(a) IN GENERAL.—

“(1) DESIGNATION.—In accordance with the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) and resource management plans developed under this title and subject to valid rights, the following land within the Conservation Area in San Bernardino County, California, is designated as Off-Highway Vehicle Recreation Areas:

“(A) DUMONT DUNES OFF-HIGHWAY VEHICLE RECREATION AREA.—Certain Bureau of Land Management land in the Conservation Area, comprising approximately 7,620 acres, as generally depicted on the map entitled ‘Proposed Dumont Dunes OHV Recreation Area’ and dated November 7, 2018, which shall be known as the ‘Dumont Dunes Off-Highway Vehicle Recreation Area’.

“(B) EL MIRAGE OFF-HIGHWAY VEHICLE RECREATION AREA.—Certain Bureau of Land Management land in the Conservation Area, comprising approximately 16,370 acres, as generally depicted on the map entitled ‘Proposed El Mirage OHV Recreation Area’ and dated December 10, 2018, which shall be known as the ‘El Mirage Off-Highway Vehicle Recreation Area’.

“(C) RASOR OFF-HIGHWAY VEHICLE RECREATION AREA.—Certain Bureau of Land Management land in the Conservation Area, comprising approximately 23,900 acres, as generally depicted on the map entitled ‘Proposed Rasor OHV Recreation Area’ and dated November 7, 2018, which shall be known as the ‘Rasor Off-Highway Vehicle Recreation Area’.

“(D) SPANGLER HILLS OFF-HIGHWAY VEHICLE RECREATION AREA.—Certain Bureau of Land Management land in the Conservation Area, comprising approximately 92,340 acres, as generally depicted on the map entitled ‘Proposed Spangler Hills OHV Recreation Area’ and dated December 10, 2018, which shall be known as the ‘Spangler Hills Off-Highway Vehicle Recreation Area’.

“(E) STODDARD VALLEY OFF-HIGHWAY VEHICLE RECREATION AREA.—Certain Bureau of Land Management land in the Conservation Area, comprising approximately 40,110 acres, as generally depicted on the map entitled ‘Proposed Stoddard Valley OHV Recreation Area’ and dated November 7, 2018, which shall be known as the ‘Stoddard Valley Off-Highway Vehicle Recreation Area’.

“(2) EXPANSION OF JOHNSON VALLEY OFF-HIGHWAY VEHICLE RECREATION AREA.—The Johnson Valley Off-Highway Vehicle Recreation Area designated by section 2945 of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113-66; 127 Stat. 1038) is expanded to include approximately 20,240 acres, depicted as ‘Proposed OHV Recreation Area Additions’ and ‘Proposed OHV Recreation Area Study Areas’ on the map entitled ‘Proposed John-

son Valley OHV Recreation Area’ and dated November 7, 2018.

“(b) PURPOSE.—The purpose of the off-highway vehicle recreation areas designated or expanded under subsection (a) is to preserve and enhance the recreational opportunities within the Conservation Area (including opportunities for off-highway vehicle recreation), while conserving the wildlife and other natural resource values of the Conservation Area.

“(c) MAPS AND DESCRIPTIONS.—

“(1) PREPARATION AND SUBMISSION.—As soon as practicable after the date of enactment of this title, the Secretary shall file a map and legal description of each off-highway vehicle recreation area designated or expanded by subsection (a) with—

“(A) the Committee on Natural Resources of the House of Representatives; and

“(B) the Committee on Energy and Natural Resources of the Senate.

“(2) LEGAL EFFECT.—The map and legal descriptions of the off-highway vehicle recreation areas filed under paragraph (1) shall have the same force and effect as if included in this title, except that the Secretary may correct errors in the map and legal descriptions.

“(3) PUBLIC AVAILABILITY.—Each map and legal description filed under paragraph (1) shall be filed and made available for public inspection in the appropriate offices of the Bureau of Land Management.

“(d) USE OF THE LAND.—

“(1) RECREATIONAL ACTIVITIES.—

“(A) IN GENERAL.—The Secretary shall continue to authorize, maintain, and enhance the recreational uses of the off-highway vehicle recreation areas designated or expanded by subsection (a), as long as the recreational use is consistent with this section and any other applicable law.

“(B) OFF-HIGHWAY VEHICLE AND OFF-HIGHWAY RECREATION.—To the extent consistent with applicable Federal law (including regulations) and this section, any authorized recreation activities and use designations in effect on the date of enactment of this title and applicable to the off-highway vehicle recreation areas designated or expanded by subsection (a) shall continue, including casual off-highway vehicular use, racing, competitive events, rock crawling, training, and other forms of off-highway recreation.

“(2) WILDLIFE GUZZLERS.—Wildlife guzzlers shall be allowed in the off-highway vehicle recreation areas designated or expanded by subsection (a) in accordance with—

“(A) applicable Bureau of Land Management guidelines; and

“(B) State law.

“(3) PROHIBITED USES.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), commercial development (including development of energy facilities, but excluding energy transport facilities, rights-of-way, and related telecommunication facilities) shall be prohibited in the off-highway vehicle recreation areas designated or expanded by subsection (a) if the Secretary determines that the development is incompatible with the purpose described in subsection (b).

“(B) EXCEPTION.—The Secretary may issue a temporary permit to a commercial vendor to provide accessories and other support for off-highway vehicle use in an off-highway vehicle recreation area designated or expanded by subsection (a) for a limited period and consistent with the purposes of the off-highway vehicle recreation area and applicable laws.

“(e) ADMINISTRATION.—

“(1) IN GENERAL.—The Secretary shall administer the off-highway vehicle recreation areas designated or expanded by subsection (a) in accordance with—

“(A) this title;

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

“(C) any other applicable laws (including regulations).

“(2) MANAGEMENT PLAN.—

“(A) IN GENERAL.—As soon as practicable, but not later than 3 years after the date of enactment of this title, the Secretary shall—

“(i) amend existing resource management plans applicable to the off-highway vehicle recreation areas designated or expanded by subsection (a); or

“(ii) develop new management plans for each off-highway vehicle recreation area designated or expanded under that subsection.

“(B) REQUIREMENTS.—All new or amended plans under subparagraph (A) shall be designed to preserve and enhance safe off-highway vehicle and other recreational opportunities within the applicable recreation area consistent with—

“(i) the purpose described in subsection (b); and

“(ii) any applicable laws (including regulations).

“(C) INTERIM PLANS.—Pending completion of a new management plan under subparagraph (A), the existing resource management plans shall govern the use of the applicable off-highway vehicle recreation area.

“(f) WITHDRAWAL.—Subject to valid existing rights, all Federal land within the off-highway vehicle recreation areas designated or expanded by subsection (a) is withdrawn from—

“(1) all forms of entry, appropriation, or disposal under the public land laws;

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

“(3) right-of-way, leasing, or disposition under all laws relating to mineral leasing, geothermal leasing, or mineral materials.

“(g) SOUTHERN CALIFORNIA EDISON COMPANY UTILITY FACILITIES AND RIGHTS-OF-WAY.—

“(1) EFFECT OF TITLE.—Nothing in this title—

“(A) affects any validly issued right-of-way for the customary operation, maintenance, upgrade, repair, relocation within an existing right-of-way, replacement, or other authorized energy transport facility activities (including the use of any mechanized vehicle, helicopter, and other aerial device) in a right-of-way acquired by or issued, granted, or permitted to Southern California Edison Company (including any successor in interest or assign) that is located on land included in—

“(i) the El Mirage Off-Highway Vehicle Recreation Area;

“(ii) the Spangler Hills Off-Highway Vehicle Recreation Area;

“(iii) the Stoddard Valley Off-Highway Vehicle Recreation Area; or

“(iv) the Johnson Valley Off-Highway Vehicle Recreation Area;

“(B) affects the application, siting, route selection, right-of-way acquisition, or construction of the Coolwater-Lugo transmission project, as may be approved by the California Public Utilities Commission and the Bureau of Land Management; or

“(C) prohibits the upgrading or replacement of any Southern California Edison Company—

“(i) utility facility, including such a utility facility known on the date of enactment of this title as—

“(I) ‘Gale-PS 512 transmission lines or rights-of-way’;

“(II) ‘Patio, Jack Ranch, and Kenworth distribution circuits or rights-of-way’; or

“(III) ‘Bessemer and Peacor distribution circuits or rights-of-way’; or

“(ii) energy transport facility in a right-of-way issued, granted, or permitted by the

Secretary adjacent to a utility facility referred to in clause (1).

“(2) PLANS FOR ACCESS.—The Secretary, in consultation with the Southern California Edison Company, shall publish plans for regular and emergency access by the Southern California Edison Company to the rights-of-way of the Company by the date that is 1 year after the later of—

“(A) the date of enactment of this title; and

“(B) the date of issuance of a new energy transport facility right-of-way within—

“(i) the El Mirage Off-Highway Vehicle Recreation Area; or

“(ii) the Spangler Hills Off-Highway Vehicle Recreation Area; or

“(iii) the Stoddard Valley Off-Highway Vehicle Recreation Area; or

“(iv) the Johnson Valley Off-Highway Vehicle Recreation Area.

“(h) PACIFIC GAS AND ELECTRIC COMPANY UTILITY FACILITIES AND RIGHTS-OF-WAY.—

“(1) EFFECT OF TITLE.—Nothing in this title—

“(A) affects any validly issued right-of-way for the customary operation, maintenance, upgrade, repair, relocation within an existing right-of-way, replacement, or other authorized activity (including the use of any mechanized vehicle, helicopter, and other aerial device) in a right-of-way acquired by or issued, granted, or permitted to Pacific Gas and Electric Company (including any successor in interest or assign) that is located on land included in the Spangler Hills Off-Highway Vehicle Recreation Area; or

“(B) prohibits the upgrading or replacement of any—

“(i) utility facilities of the Pacific Gas and Electric Company, including those utility facilities known on the date of enactment of this title as—

“(I) ‘Gas Transmission Line 311 or rights-of-way’; or

“(II) ‘Gas Transmission Line 372 or rights-of-way’; or

“(ii) utility facilities of the Pacific Gas and Electric Company in rights-of-way issued, granted, or permitted by the Secretary adjacent to a utility facility referred to in clause (1).

“(2) PLANS FOR ACCESS.—Not later than 1 year after the date of enactment of this title or the issuance of a new utility facility right-of-way within the Spangler Hills Off-Highway Vehicle Recreation Area, whichever is later, the Secretary, in consultation with the Pacific Gas and Electric Company, shall publish plans for regular and emergency access by the Pacific Gas and Electric Company to the rights-of-way of the Pacific Gas and Electric Company.

#### “TITLE XIV—ALABAMA HILLS NATIONAL SCENIC AREA

##### “SEC. 1401. DEFINITIONS.

“In this title:

“(1) MANAGEMENT PLAN.—The term ‘management plan’ means the management plan for the Scenic Area developed under section 1403(a).

“(2) MAP.—The term ‘Map’ means the map entitled ‘Proposed Alabama Hills National Scenic Area’ and dated November 7, 2018.

“(3) MOTORIZED VEHICLE.—The term ‘motorized vehicle’ means a motorized or mechanized vehicle and includes, when used by a utility, mechanized equipment, a helicopter, and any other aerial device necessary to maintain electrical or communications infrastructure.

“(4) SCENIC AREA.—The term ‘Scenic Area’ means the Alabama Hills National Scenic Area established by section 1402(a).

“(5) STATE.—The term ‘State’ means the State of California.

“(6) TRIBE.—The term ‘Tribe’ means the Lone Pine Paiute-Shoshone Tribe.

##### “SEC. 1402. ALABAMA HILLS NATIONAL SCENIC AREA, CALIFORNIA.

“(a) ESTABLISHMENT.—Subject to valid existing rights, there is established in Inyo County, California, the Alabama Hills National Scenic Area, to be comprised of the approximately 18,610 acres generally depicted on the Map as ‘National Scenic Area’.

“(b) PURPOSE.—The purpose of the Scenic Area is to conserve, protect, and enhance for the benefit, use, and enjoyment of present and future generations the nationally significant scenic, cultural, geological, educational, biological, historical, recreational, cinematographic, and scientific resources of the Scenic Area managed consistent with section 302(a) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1732(a)).

“(c) MAP; LEGAL DESCRIPTIONS.—

“(1) IN GENERAL.—As soon as practicable after the date of enactment of this title, the Secretary shall file a map and a legal description of the Scenic Area with—

“(A) the Committee on Energy and Natural Resources of the Senate; and

“(B) the Committee on Natural Resources of the House of Representatives.

“(2) FORCE OF LAW.—The map and legal descriptions filed under paragraph (1) shall have the same force and effect as if included in this title, except that the Secretary may correct any clerical and typographical errors in the map and legal descriptions.

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

“(d) ADMINISTRATION.—The Secretary shall manage the Scenic Area—

“(1) as a component of the National Landscape Conservation System; or

“(2) so as not to impact the future continuing operation and maintenance of any activities associated with valid, existing rights, including water rights;

“(3) in a manner that conserves, protects, and enhances the resources and values of the Scenic Area described in subsection (b); and

“(4) in accordance with—

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

“(B) this title; and

“(C) any other applicable laws.

“(e) MANAGEMENT.—

“(1) IN GENERAL.—The Secretary shall allow only such uses of the Scenic Area as the Secretary determines would further the purposes of the Scenic Area as described in subsection (b).

“(2) RECREATIONAL ACTIVITIES.—Except as otherwise provided in this title or other applicable law, or as the Secretary determines to be necessary for public health and safety, the Secretary shall allow existing recreational uses of the Scenic Area to continue, including hiking, mountain biking, rock climbing, sightseeing, horseback riding, hunting, fishing, and appropriate authorized motorized vehicle use in accordance with paragraph (3).

“(3) MOTORIZED VEHICLES.—Except as otherwise specified in this title, or as necessary for administrative purposes or to respond to an emergency, the use of motorized vehicles in the Scenic Area shall be permitted only on—

“(A) roads and trails designated by the Secretary for use of motorized vehicles as part of a management plan sustaining a semiprimitive motorized experience; or

“(B) county-maintained roads in accordance with applicable State and county laws.

“(f) NO BUFFER ZONES.—

“(1) IN GENERAL.—Nothing in this title creates a protective perimeter or buffer zone around the Scenic Area.

“(2) ACTIVITIES OUTSIDE SCENIC AREA.—The fact that an activity or use on land outside the Scenic Area can be seen or heard within the Scenic Area shall not preclude the activity or use outside the boundaries of the Scenic Area.

“(g) ACCESS.—The Secretary shall provide private landowners adequate access to inholdings in the Scenic Area.

“(h) FILMING.—Nothing in this title prohibits filming (including commercial film production, student filming, and still photography) within the Scenic Area—

“(1) subject to—

“(A) such reasonable regulations, policies, and practices as the Secretary considers to be necessary; and

“(B) applicable law; and

“(2) in a manner consistent with the purposes described in subsection (b).

“(i) FISH AND WILDLIFE.—Nothing in this title affects the jurisdiction or responsibilities of the State with respect to fish and wildlife.

“(j) LIVESTOCK.—The grazing of livestock in the Scenic Area, including grazing under the Alabama Hills allotment and the George Creek allotment, as established before the date of enactment of this title, shall be permitted to continue—

“(1) subject to—

“(A) such reasonable regulations, policies, and practices as the Secretary considers to be necessary; and

“(B) applicable law; and

“(2) in a manner consistent with the purposes described in subsection (b).

“(k) WITHDRAWAL.—Subject to the provisions of this title and valid rights in existence on the date of enactment of this title, including rights established by prior withdrawals, the Federal land within the Scenic Area is withdrawn from all forms of—

“(1) entry, appropriation, or disposal under the public land laws;

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

“(3) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.

“(l) WILDLAND FIRE OPERATIONS.—Nothing in this title prohibits the Secretary, in cooperation with other Federal, State, and local agencies, as appropriate, from conducting wildland fire operations in the Scenic Area, consistent with the purposes described in subsection (b).

“(m) COOPERATIVE AGREEMENTS.—The Secretary may enter into cooperative agreements with State, Tribal, and local governmental entities and private entities to conduct research, interpretation, or public education or to carry out any other initiative relating to the restoration, conservation, or management of the Scenic Area.

“(n) UTILITY FACILITIES AND RIGHTS-OF-WAY.—

“(1) EFFECT OF TITLE.—Nothing in this title—

“(A) affects the existence, use, operation, maintenance (including vegetation control), repair, construction, reconfiguration, expansion, inspection, renewal, reconstruction, alteration, addition, relocation, improvement, funding, removal, or replacement of any utility facility or appurtenant right-of-way within or adjacent to the Scenic Area;

“(B) subject to subsection (e), affects necessary or efficient access to utility facilities or rights-of-way within or adjacent to the Scenic Area; and

“(C) precludes the Secretary from authorizing the establishment of new utility facility rights-of-way (including instream sites, routes, and areas) within the Scenic Area in a manner that minimizes harm to the purpose of the Scenic Area as described in subsection (b)—

“(i) in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and any other applicable law;

“(ii) subject to such terms and conditions as the Secretary determines to be appropriate; and

“(iii) that are determined by the Secretary to be the only technical or feasible location, following consideration of alternatives within existing rights-of-way or outside of the Scenic Area.

“(2) **MANAGEMENT PLAN.**—Consistent with this title, the Management Plan shall establish provisions for maintenance of public utility and other rights-of-way within the Scenic Area.

**“SEC. 1403. MANAGEMENT PLAN.**

“(a) **IN GENERAL.**—Not later than 3 years after the date of enactment of this title, in accordance with subsections (b) and (c), the Secretary shall develop a comprehensive plan for the long-term management of the Scenic Area.

“(b) **CONSULTATION.**—In developing the management plan, the Secretary shall consult with—

“(1) appropriate State, Tribal, and local governmental entities, including Inyo County and the Tribe;

“(2) utilities, including Southern California Edison Company and the Los Angeles Department of Water and Power;

“(3) the Alabama Hills Stewardship Group; and

“(4) members of the public.

“(c) **REQUIREMENT.**—In accordance with this title, the management plan shall include provisions for maintenance of existing public utility and other rights-of-way within the Scenic Area.

“(d) **INCORPORATION.**—In developing the management plan, in accordance with this section, the Secretary may allow casual use mining limited to the use of hand tools, metal detectors, hand-fed dry washers, vacuum cleaners, gold pans, small sluices, and similar items.

“(e) **INTERIM MANAGEMENT.**—Pending completion of the management plan, the Secretary shall manage the Scenic Area in accordance with section 1402(b).

**“SEC. 1404. LAND TAKEN INTO TRUST FOR LONE PINE PAIUTE-SHOSHONE RESERVATION.**

“(a) **TRUST LAND.**—

“(1) **IN GENERAL.**—On completion of the survey described in subsection (b), all right, title, and interest of the United States in and to the approximately 132 acres of Federal land depicted on the Map as ‘Lone Pine Paiute-Shoshone Reservation Addition’ shall be held in trust for the benefit of the Tribe, subject to paragraphs (2) and (3).

“(2) **CONDITIONS.**—The land described in paragraph (1) shall be subject to all easements, covenants, conditions, restrictions, withdrawals, and other matters of record in existence on the date of enactment of this title.

“(3) **EXCLUSION.**—The Federal land over which the right-of-way for the Los Angeles Aqueduct is located, generally described as the 250-foot-wide right-of-way granted to the City of Los Angeles pursuant to the Act of June 30, 1906 (34 Stat. 801, chapter 3926), shall not be taken into trust for the Tribe.

“(b) **SURVEY.**—Not later than 180 days after the date of enactment of this title, the Secretary shall complete a survey of the boundary lines to establish the boundaries of the land to be held in trust under subsection (a)(1).

“(c) **RESERVATION LAND.**—The land held in trust pursuant to subsection (a)(1) shall be considered to be a part of the reservation of the Tribe.

“(d) **GAMING PROHIBITION.**—Land held in trust under subsection (a)(1) shall not be eli-

gible, or considered to have been taken into trust, for gaming (within the meaning of the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.)).

**“SEC. 1405. TRANSFER OF ADMINISTRATIVE JURISDICTION.**

“Administrative jurisdiction over the approximately 56 acres of Federal land depicted on the Map as ‘USFS Transfer to BLM’ is transferred from the Forest Service to the Bureau of Land Management.

**“SEC. 1406. PROTECTION OF SERVICES AND RECREATIONAL OPPORTUNITIES.**

“(a) **EFFECT OF TITLE.**—Nothing in this title limits commercial services for existing or historic recreation uses, as authorized by the permit process of the Bureau of Land Management.

“(b) **GUIDED RECREATIONAL OPPORTUNITIES.**—Commercial permits to exercise guided recreational opportunities for the public that are authorized as of the date of enactment of this title may continue to be authorized.”.

**PART V—MISCELLANEOUS**

**SEC. 1451. TRANSFER OF LAND TO ANZA-BORREGO DESERT STATE PARK.**

Title VII of the California Desert Protection Act is 1994 (16 U.S.C. 410aaa–71 et seq.) is amended by adding at the end the following:

**“SEC. 712. TRANSFER OF LAND TO ANZA-BORREGO DESERT STATE PARK.**

“(a) **IN GENERAL.**—On termination of all mining claims to the land described in subsection (b), the Secretary shall transfer the land described in that subsection to the State of California.

“(b) **DESCRIPTION OF LAND.**—The land referred to in subsection (a) is certain Bureau of Land Management land in San Diego County, California, comprising approximately 934 acres, as generally depicted on the map entitled ‘Proposed Table Mountain Wilderness Study Area Transfer to the State’ and dated November 7, 2018.

“(c) **MANAGEMENT.**—

“(1) **IN GENERAL.**—The land transferred under subsection (a) shall be managed in accordance with the provisions of the California Wilderness Act (California Public Resources Code sections 5093.30–5093.40).

“(2) **WITHDRAWAL.**—Subject to valid existing rights, the land transferred under subsection (a) is withdrawn from—

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

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

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

“(3) **REVERSION.**—If the State ceases to manage the land transferred under subsection (a) as part of the State Park System or in a manner inconsistent with the California Wilderness Act (California Public Resources Code sections 5093.30–5093.40), the land shall revert to the Secretary at the discretion of the Secretary, to be managed as a Wilderness Study Area.”.

**SEC. 1452. WILDLIFE CORRIDORS.**

Title VII of the California Desert Protection Act is 1994 (16 U.S.C. 410aaa–71 et seq.) (as amended by section 1451) is amended by adding at the end the following:

**“SEC. 713. WILDLIFE CORRIDORS.**

“(a) **IN GENERAL.**—The Secretary shall—

“(1) assess the impacts of habitat fragmentation on wildlife in the California Desert Conservation Area; and

“(2) establish policies and procedures to ensure the preservation of wildlife corridors and facilitate species migration.

“(b) **STUDY.**—

“(1) **IN GENERAL.**—As soon as practicable, but not later than 2 years, after the date of enactment of this section, the Secretary

shall complete a study regarding the impact of habitat fragmentation on wildlife in the California Desert Conservation Area.

“(2) **COMPONENTS.**—The study under paragraph (1) shall—

“(A) identify the species migrating, or likely to migrate in the California Desert Conservation Area;

“(B) examine the impacts and potential impacts of habitat fragmentation on—

“(i) plants, insects, and animals;

“(ii) soil;

“(iii) air quality;

“(iv) water quality and quantity; and

“(v) species migration and survival;

“(C) identify critical wildlife and species migration corridors recommended for preservation; and

“(D) include recommendations for ensuring the biological connectivity of public land managed by the Secretary and the Secretary of Defense throughout the California Desert Conservation Area.

“(3) **RIGHTS-OF-WAY.**—The Secretary shall consider the information and recommendations of the study under paragraph (1) to determine the individual and cumulative impacts of rights-of-way for projects in the California Desert Conservation Area, in accordance with—

“(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

“(B) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and

“(C) any other applicable law.

“(c) **LAND MANAGEMENT PLANS.**—The Secretary shall incorporate into all land management plans applicable to the California Desert Conservation Area the findings and recommendations of the study completed under subsection (b).”.

**SEC. 1453. PROHIBITED USES OF ACQUIRED, DONATED, AND CONSERVATION LAND.**

Title VII of the California Desert Protection Act is 1994 (16 U.S.C. 410aaa–71 et seq.) (as amended by section 1452) is amended by adding at the end the following:

**“SEC. 714. PROHIBITED USES OF ACQUIRED, DONATED, AND CONSERVATION LAND.**

“(a) **DEFINITIONS.**—In this section:

“(1) **ACQUIRED LAND.**—The term ‘acquired land’ means any land acquired within the Conservation Area using amounts from the land and water conservation fund established under section 200302 of title 54, United States Code.

“(2) **CONSERVATION AREA.**—The term ‘Conservation Area’ means the California Desert Conservation Area.

“(3) **CONSERVATION LAND.**—The term ‘conservation land’ means any land within the Conservation Area that is designated to satisfy the conditions of a Federal habitat conservation plan, general conservation plan, or State natural communities conservation plan, including—

“(A) national conservation land established pursuant to section 2002(b)(2)(D) of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 7202(b)(2)(D)); and

“(B) areas of critical environmental concern established pursuant to section 202(c)(3) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712(c)(3)).

“(4) **DONATED LAND.**—The term ‘donated land’ means any private land donated to the United States for conservation purposes in the Conservation Area.

“(5) **DONOR.**—The term ‘donor’ means an individual or entity that donates private land within the Conservation Area to the United States.

“(6) **SECRETARY.**—The term ‘Secretary’ means the Secretary, acting through the Director of the Bureau of Land Management.

“(7) **STATE.**—The term ‘State’ means the State of California.

“(b) PROHIBITIONS.—Except as provided in subsection (c), the Secretary shall not authorize the use of acquired land, conservation land, or donated land within the Conservation Area for any activities contrary to the conservation purposes for which the land was acquired, designated, or donated, including—

- “(1) disposal;
  - “(2) rights-of-way;
  - “(3) leases;
  - “(4) livestock grazing;
  - “(5) infrastructure development, except as provided in subsection (c);
  - “(6) mineral entry; and
  - “(7) off-highway vehicle use, except on—
- “(A) designated routes;
- “(B) off-highway vehicle areas designated by law; and
- “(C) administratively designated open areas.

“(c) EXCEPTIONS.—

“(1) AUTHORIZATION BY SECRETARY.—Subject to paragraph (2), the Secretary may authorize limited exceptions to prohibited uses of acquired land or donated land in the Conservation Area if—

“(A) a right-of-way application for a renewable energy development project or associated energy transport facility on acquired land or donated land was submitted to the Bureau of Land Management on or before December 1, 2009; or

“(B) after the completion and consideration of an analysis under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the Secretary has determined that proposed use is in the public interest.

“(2) CONDITIONS.—

“(A) IN GENERAL.—If the Secretary grants an exception to the prohibition under paragraph (1), the Secretary shall require the permittee to donate private land of comparable value located within the Conservation Area to the United States to mitigate the use.

“(B) APPROVAL.—The private land to be donated under subparagraph (A) shall be approved by the Secretary after—

- “(i) consultation, to the maximum extent practicable, with the donor of the private land proposed for nonconservation uses; and
- “(ii) an opportunity for public comment regarding the donation.

“(d) EXISTING AGREEMENTS.—Nothing in this section affects permitted or prohibited uses of donated land or acquired land in the Conservation Area established in any easements, deed restrictions, memoranda of understanding, or other agreements in existence on the date of enactment of this section.

“(e) DEED RESTRICTIONS.—Effective beginning on the date of enactment of this section, within the Conservation Area, the Secretary may—

- “(1) accept deed restrictions requested by landowners for land donated to, or otherwise acquired by, the United States; and
- “(2) consistent with existing rights, create deed restrictions, easements, or other third-party rights relating to any public land determined by the Secretary to be necessary—

“(A) to fulfill the mitigation requirements resulting from the development of renewable resources; or

“(B) to satisfy the conditions of—

- “(i) a habitat conservation plan or general conservation plan established pursuant to section 10 of the Endangered Species Act of 1973 (16 U.S.C. 1539); or
- “(ii) a natural communities conservation plan approved by the State.”.

#### SEC. 1454. TRIBAL USES AND INTERESTS.

Section 705 of the California Desert Protection Act is 1994 (16 U.S.C. 410aaa–75) is amended—

(1) by redesignating subsection (b) as subsection (c);

(2) by striking subsection (a) and inserting the following:

“(a) ACCESS.—The Secretary shall ensure access to areas designated under this Act by members of Indian Tribes for traditional cultural and religious purposes, consistent with applicable law, including Public Law 95–341 (commonly known as the ‘American Indian Religious Freedom Act’) (42 U.S.C. 1996).

“(b) TEMPORARY CLOSURE.—

“(1) IN GENERAL.—In accordance with applicable law, including Public Law 95–341 (commonly known as the ‘American Indian Religious Freedom Act’) (42 U.S.C. 1996), and subject to paragraph (2), the Secretary, on request of an Indian Tribe or Indian religious community, shall temporarily close to general public use any portion of an area designated as a national monument, special management area, wild and scenic river, area of critical environmental concern, or National Park System unit under this Act (referred to in this subsection as a ‘designated area’) to protect the privacy of traditional cultural and religious activities in the designated area by members of the Indian Tribe or Indian religious community.

“(2) LIMITATION.—In closing a portion of a designated area under paragraph (1), the Secretary shall limit the closure to the smallest practicable area for the minimum period necessary for the traditional cultural and religious activities.”; and

(3) by adding at the end the following:

“(d) TRIBAL CULTURAL RESOURCES MANAGEMENT PLAN.—

“(1) IN GENERAL.—Not later than 2 years after the date of enactment of the Natural Resources Management Act, the Secretary shall develop and implement a Tribal cultural resources management plan to identify, protect, and conserve cultural resources of Indian Tribes associated with the Xam Kwatchan Trail network extending from Avikwaame (Spirit Mountain, Nevada) to Avikwal (Pilot Knob, California).

“(2) CONSULTATION.—The Secretary shall consult on the development and implementation of the Tribal cultural resources management plan under paragraph (1) with—

- “(A) each of—
- “(i) the Chemehuevi Indian Tribe;
- “(ii) the Hualapai Tribal Nation;
- “(iii) the Fort Mojave Indian Tribe;
- “(iv) the Colorado River Indian Tribes;
- “(v) the Quechan Indian Tribe; and
- “(vi) the Cocopah Indian Tribe;

“(B) the Advisory Council on Historic Preservation; and

“(C) the State Historic Preservation Offices of Nevada, Arizona, and California.

“(3) RESOURCE PROTECTION.—The Tribal cultural resources management plan developed under paragraph (1) shall—

“(A) be based on a completed Tribal cultural resources survey; and

“(B) include procedures for identifying, protecting, and preserving petroglyphs, ancient trails, intaglios, sleeping circles, artifacts, and other resources of cultural, archaeological, or historical significance in accordance with all applicable laws and policies, including—

“(i) chapter 2003 of title 54, United States Code;

“(ii) Public Law 95–341 (commonly known as the ‘American Indian Religious Freedom Act’) (42 U.S.C. 1996);

“(iii) the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470aa et seq.);

“(iv) the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.); and

“(v) Public Law 103–141 (commonly known as the ‘Religious Freedom Restoration Act of 1993’) (42 U.S.C. 2000bb et seq.).

“(e) WITHDRAWAL.—Subject to valid existing rights, all Federal land within the area administratively withdrawn and known as the ‘Indian Pass Withdrawal Area’ is permanently withdrawn from—

“(1) all forms of entry, appropriation, or disposal under the public land laws;

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

“(3) right-of-way leasing and disposition under all laws relating to minerals or solar, wind, or geothermal energy.”.

#### SEC. 1455. RELEASE OF FEDERAL REVERSIONARY LAND INTERESTS.

(a) DEFINITIONS.—In this section:

(1) 1932 ACT.—The term “1932 Act” means the Act of June 18, 1932 (47 Stat. 324, chapter 270).

(2) DISTRICT.—The term “District” means the Metropolitan Water District of Southern California.

(b) RELEASE.—Subject to valid existing claims perfected prior to the effective date of the 1932 Act and the reservation of minerals set forth in the 1932 Act, the Secretary shall release, convey, or otherwise quitclaim to the District, in a form recordable in local county records, and subject to the approval of the District, after consultation and without monetary consideration, all right, title, and remaining interest of the United States in and to the land that was conveyed to the District pursuant to the 1932 Act or any other law authorizing conveyance subject to restrictions or reversionary interests retained by the United States, on request by the District.

(c) TERMS AND CONDITIONS.—A conveyance authorized by subsection (b) shall be subject to the following terms and conditions:

(1) The District shall cover, or reimburse the Secretary for, the costs incurred by the Secretary to make the conveyance, including title searches, surveys, deed preparation, attorneys’ fees, and similar expenses.

(2) By accepting the conveyances, the District agrees to indemnify and hold harmless the United States with regard to any boundary dispute relating to any parcel conveyed under this section.

#### SEC. 1456. CALIFORNIA STATE SCHOOL LAND.

Section 707 of the California Desert Protection Act of 1994 (16 U.S.C. 410aaa–77) is amended—

(1) in subsection (a)—

(A) in the first sentence—

(i) by striking “Upon request of the California State Lands Commission (hereinafter in this section referred to as the ‘Commission’), the Secretary shall enter into negotiations for an agreement” and inserting the following:

“(1) IN GENERAL.—The Secretary shall negotiate in good faith to reach an agreement with the California State Lands Commission (referred to in this section as the ‘Commission’); and

(ii) by inserting “, national monuments, off-highway vehicle recreation areas,” after “more of the wilderness areas”; and

(B) in the second sentence, by striking “The Secretary shall negotiate in good faith to” and inserting the following:

“(2) AGREEMENT.—To the maximum extent practicable, not later than 10 years after the date of enactment of this title, the Secretary shall”; and

(2) in subsection (b)(1), by inserting “, national monuments, off-highway vehicle recreation areas,” after “wilderness areas”.

#### SEC. 1457. DESIGNATION OF WILD AND SCENIC RIVERS.

(a) AMARGOSA RIVER, CALIFORNIA.—Section 3(a)(196)(A) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)(196)(A)) is amended to read as follows:



“(A) The approximately 7.5-mile segment of the Amargosa River in the State of California, the private property boundary in sec. 19, T. 22 N., R. 7 E., to 100 feet upstream of the Tecopa Hot Springs Road crossing, to be administered by the Secretary of the Interior as a scenic river.”.

(b) ADDITIONAL SEGMENTS.—Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) (as amended by section 1303(a)) is amended by adding at the end the following:

“(228) SURPRISE CANYON CREEK, CALIFORNIA.—

“(A) IN GENERAL.—The following segments of Surprise Canyon Creek in the State of California, to be administered by the Secretary of the Interior:

“(i) The approximately 5.3 miles of Surprise Canyon Creek from the confluence of Frenchman's Canyon and Water Canyon to 100 feet upstream of Chris Wicht Camp, as a wild river.

“(ii) The approximately 1.8 miles of Surprise Canyon Creek from 100 feet upstream of Chris Wicht Camp to the southern boundary of sec. 14, T. 21 S., R. 44 E., as a recreational river.

“(B) EFFECT ON HISTORIC MINING STRUCTURES.—Nothing in this paragraph affects the historic mining structures associated with the former Panamint Mining District.

“(229) DEEP CREEK, CALIFORNIA.—

“(A) IN GENERAL.—The following segments of Deep Creek in the State of California, to be administered by the Secretary of Agriculture:

“(i) The approximately 6.5-mile segment from 0.125 mile downstream of the Rainbow Dam site in sec. 33, T. 2 N., R. 2 W., San Bernardino Meridian, to 0.25 miles upstream of the Road 3N34 crossing, as a wild river.

“(ii) The 0.5-mile segment from 0.25 mile upstream of the Road 3N34 crossing to 0.25 mile downstream of the Road 3N34 crossing, as a scenic river.

“(iii) The 2.5-mile segment from 0.25 miles downstream of the Road 3 N. 34 crossing to 0.25 miles upstream of the Trail 2W01 crossing, as a wild river.

“(iv) The 0.5-mile segment from 0.25 miles upstream of the Trail 2W01 crossing to 0.25 mile downstream of the Trail 2W01 crossing, as a scenic river.

“(v) The 10-mile segment from 0.25 miles downstream of the Trail 2W01 crossing to the upper limit of the Mojave dam flood zone in sec. 17, T. 3 N., R. 3 W., San Bernardino Meridian, as a wild river.

“(vi) The 11-mile segment of Holcomb Creek from 100 yards downstream of the Road 3N12 crossing to .25 miles downstream of Holcomb Crossing, as a recreational river.

“(vii) The 3.5-mile segment of the Holcomb Creek from 0.25 miles downstream of Holcomb Crossing to the Deep Creek confluence, as a wild river.

“(B) EFFECT ON SKI OPERATIONS.—Nothing in this paragraph affects—

“(i) the operations of the Snow Valley Ski Resort; or

“(ii) the State regulation of water rights and water quality associated with the operation of the Snow Valley Ski Resort.

“(230) WHITEWATER RIVER, CALIFORNIA.—The following segments of the Whitewater River in the State of California, to be administered by the Secretary of Agriculture and the Secretary of the Interior, acting jointly:

“(A) The 5.8-mile segment of the North Fork Whitewater River from the source of the River near Mt. San Geronio to the confluence with the Middle Fork, as a wild river.

“(B) The 6.4-mile segment of the Middle Fork Whitewater River from the source of the River to the confluence with the South Fork, as a wild river.

“(C) The 1-mile segment of the South Fork Whitewater River from the confluence of the

River with the East Fork to the section line between sections 32 and 33, T. 1 S., R. 2 E., San Bernardino Meridian, as a wild river.

“(D) The 1-mile segment of the South Fork Whitewater River from the section line between sections 32 and 33, T. 1 S., R. 2 E., San Bernardino Meridian, to the section line between sections 33 and 34, T. 1 S., R. 2 E., San Bernardino Meridian, as a recreational river.

“(E) The 4.9-mile segment of the South Fork Whitewater River from the section line between sections 33 and 34, T. 1 S., R. 2 E., San Bernardino Meridian, to the confluence with the Middle Fork, as a wild river.

“(F) The 5.4-mile segment of the main stem of the Whitewater River from the confluence of the South and Middle Forks to the San Geronio Wilderness boundary, as a wild river.

“(G) The 3.6-mile segment of the main stem of the Whitewater River from the San Geronio Wilderness boundary to .25 miles upstream of the southern boundary of section 35, T. 2 S., R. 3 E., San Bernardino Meridian, as a recreational river.”.

#### SEC. 1458. CONFORMING AMENDMENTS.

(a) SHORT TITLE.—Section 1 of the California Desert Protection Act of 1994 (16 U.S.C. 410aaa note; Public Law 103-433) is amended by striking “1 and 2, and titles I through IX” and inserting “1, 2, and 3, titles I through IX, and titles XIII and XIV”.

(b) DEFINITIONS.—The California Desert Protection Act of 1994 (Public Law 103-433; 108 Stat. 4471) is amended by inserting after section 2 the following:

#### “SEC. 3. DEFINITIONS.

“(a) TITLES I THROUGH IX.—In titles I through IX, the term ‘this Act’ means only—

“(1) sections 1 and 2; and

“(2) titles I through IX.

“(b) TITLES XIII AND XIV.—In titles XIII and XIV:

“(1) CONSERVATION AREA.—The term ‘Conservation Area’ means the California Desert Conservation Area.

“(2) SECRETARY.—The term ‘Secretary’ means—

“(A) with respect to land under the jurisdiction of the Secretary of the Interior, the Secretary of the Interior; and

“(B) with respect to land under the jurisdiction of the Secretary of Agriculture, the Secretary of Agriculture.

“(3) STATE.—The term ‘State’ means the State of California.”.

#### SEC. 1459. JUNIPER FLATS.

The California Desert Protection Act of 1994 is amended by striking section 711 (16 U.S.C. 410aaa-81) and inserting the following:

#### “SEC. 711. JUNIPER FLATS.

“Development of renewable energy generation facilities (excluding rights-of-way or facilities for the transmission of energy and telecommunication facilities and infrastructure) is prohibited on the approximately 27,990 acres of Federal land generally depicted as ‘BLM Land Unavailable for Energy Development’ on the map entitled ‘Juniper Flats’ and dated November 7, 2018.”.

#### SEC. 1460. CONFORMING AMENDMENTS TO CALIFORNIA MILITARY LANDS WITHDRAWAL AND OVERFLIGHTS ACT OF 1994.

(a) FINDINGS.—Section 801(b)(2) of the California Military Lands Withdrawal and Overflights Act of 1994 (16 U.S.C. 410aaa-82 note; Public Law 103-433) is amended by inserting “, special management areas, off-highway vehicle recreation areas, scenic areas,” before “and wilderness areas”.

(b) OVERFLIGHTS; SPECIAL AIRSPACE.—Section 802 of the California Military Lands Withdrawal and Overflights Act of 1994 (16 U.S.C. 410aaa-82) is amended—

(1) in subsection (a), by inserting “, scenic areas, off-highway vehicle recreation areas,

or special management areas” before “designated by this Act”;

(2) in subsection (b), by inserting “, scenic areas, off-highway vehicle recreation areas, or special management areas” before “designated by this Act”; and

(3) by adding at the end the following:

“(d) DEPARTMENT OF DEFENSE FACILITIES.—Nothing in this Act alters any authority of the Secretary of Defense to conduct military operations at installations and ranges within the California Desert Conservation Area that are authorized under any other provision of law.”.

#### SEC. 1461. DESERT TORTOISE CONSERVATION CENTER.

(a) IN GENERAL.—The Secretary shall establish, operate, and maintain a trans-State desert tortoise conservation center (referred to in this section as the “Center”) on public land along the California-Nevada border—

(1) to support desert tortoise research, disease monitoring, handling training, rehabilitation, and reintroduction;

(2) to provide temporary quarters for animals collected from authorized salvage from renewable energy sites; and

(3) to ensure the full recovery and ongoing survival of the species.

(b) CENTER.—In carrying out this section, the Secretary shall—

(1) seek the participation of or contract with qualified organizations with expertise in desert tortoise disease research and experience with desert tortoise translocation techniques, and scientific training of professional biologists for handling tortoises, to staff and manage the Center;

(2) ensure that the Center engages in public outreach and education on tortoise handling; and

(3) consult with the State and the State of Nevada to ensure that the Center is operated consistent with State law.

(c) NON-FEDERAL CONTRIBUTIONS.—The Secretary may accept and expend contributions of non-Federal funds to establish, operate, and maintain the Center.

#### TITLE II—NATIONAL PARKS

##### Subtitle A—Special Resource Studies

#### SEC. 2001. SPECIAL RESOURCE STUDY OF JAMES K. POLK PRESIDENTIAL HOME.

(a) DEFINITION OF STUDY AREA.—In this section, the term “study area” means the President James K. Polk Home in Columbia, Tennessee, and adjacent property.

##### (b) SPECIAL RESOURCE STUDY.—

(1) STUDY.—The Secretary shall conduct a special resource study of the study area.

(2) CONTENTS.—In conducting the study under paragraph (1), the Secretary shall—

(A) evaluate the national significance of the study area;

(B) determine the suitability and feasibility of designating the study area as a unit of the National Park System;

(C) consider other alternatives for preservation, protection, and interpretation of the study area by the Federal Government, State or local government entities, or private and nonprofit organizations;

(D) consult with interested Federal agencies, State or local governmental entities, private and nonprofit organizations, or any other interested individuals; and

(E) identify cost estimates for any Federal acquisition, development, interpretation, operation, and maintenance associated with the alternatives.

(3) APPLICABLE LAW.—The study required under paragraph (1) shall be conducted in accordance with section 100507 of title 54, United States Code.

(4) REPORT.—Not later than 3 years after the date on which funds are first made available for the study under paragraph (1), the Secretary shall submit to the Committee on

Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report that describes—

(A) the results of the study; and

(B) any conclusions and recommendations of the Secretary.

**SEC. 2002. SPECIAL RESOURCE STUDY OF THURGOOD MARSHALL SCHOOL.**

(a) **DEFINITION OF STUDY AREA.**—In this section, the term “study area” means—

(1) P.S. 103, the public school located in West Baltimore, Maryland, which Thurgood Marshall attended as a youth; and

(2) any other resources in the neighborhood surrounding P.S. 103 that relate to the early life of Thurgood Marshall.

(b) **SPECIAL RESOURCE STUDY.**—

(1) **STUDY.**—The Secretary shall conduct a special resource study of the study area.

(2) **CONTENTS.**—In conducting the study under paragraph (1), the Secretary shall—

(A) evaluate the national significance of the study area;

(B) determine the suitability and feasibility of designating the study area as a unit of the National Park System;

(C) consider other alternatives for preservation, protection, and interpretation of the study area by the Federal Government, State or local government entities, or private and nonprofit organizations;

(D) consult with interested Federal agencies, State or local governmental entities, private and nonprofit organizations, or any other interested individuals; and

(E) identify cost estimates for any Federal acquisition, development, interpretation, operation, and maintenance associated with the alternatives.

(3) **APPLICABLE LAW.**—The study required under paragraph (1) shall be conducted in accordance with section 100507 of title 54, United States Code.

(4) **REPORT.**—Not later than 3 years after the date on which funds are first made available to carry out the study under paragraph (1), the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that describes—

(A) the results of the study; and

(B) any conclusions and recommendations of the Secretary.

**SEC. 2003. SPECIAL RESOURCE STUDY OF PRESIDENT STREET STATION.**

(a) **DEFINITION OF STUDY AREA.**—In this section, the term “study area” means the President Street Station, a railroad terminal in Baltimore, Maryland, the history of which is tied to the growth of the railroad industry in the 19th century, the Civil War, the Underground Railroad, and the immigrant influx of the early 20th century.

(b) **SPECIAL RESOURCE STUDY.**—

(1) **STUDY.**—The Secretary shall conduct a special resource study of the study area.

(2) **CONTENTS.**—In conducting the study under paragraph (1), the Secretary shall—

(A) evaluate the national significance of the study area;

(B) determine the suitability and feasibility of designating the study area as a unit of the National Park System;

(C) consider other alternatives for preservation, protection, and interpretation of the study area by the Federal Government, State or local government entities, or private and nonprofit organizations;

(D) consult with interested Federal agencies, State or local governmental entities, private and nonprofit organizations, or any other interested individuals; and

(E) identify cost estimates for any Federal acquisition, development, interpretation, operation, and maintenance associated with the alternatives.

(3) **APPLICABLE LAW.**—The study required under paragraph (1) shall be conducted in accordance with section 100507 of title 54, United States Code.

(4) **REPORT.**—Not later than 3 years after the date on which funds are first made available for the study under paragraph (1), the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that describes—

(A) the results of the study; and

(B) any conclusions and recommendations of the Secretary.

**SEC. 2004. AMACHE SPECIAL RESOURCE STUDY.**

(a) **DEFINITION OF STUDY AREA.**—In this section, the term “study area” means the site known as “Amache”, “Camp Amache”, and “Granada Relocation Center” in Granada, Colorado, which was 1 of the 10 relocation centers where Japanese Americans were incarcerated during World War II.

(b) **SPECIAL RESOURCE STUDY.**—

(1) **IN GENERAL.**—The Secretary shall conduct a special resource study of the study area.

(2) **CONTENTS.**—In conducting the study under paragraph (1), the Secretary shall—

(A) evaluate the national significance of the study area;

(B) determine the suitability and feasibility of designating the study area as a unit of the National Park System;

(C) consider other alternatives for preservation, protection, and interpretation of the study area by the Federal Government, State or local government entities, or private and nonprofit organizations;

(D) consult with interested Federal agencies, State or local governmental entities, private and nonprofit organizations, or any other interested individuals; and

(E) identify cost estimates for any Federal acquisition, development, interpretation, operation, and maintenance associated with the alternatives described in subparagraphs (B) and (C).

(3) **APPLICABLE LAW.**—The study required under paragraph (1) shall be conducted in accordance with section 100507 of title 54, United States Code.

(4) **REPORT.**—Not later than 3 years after the date on which funds are first made available to carry out the study under paragraph (1), the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that describes—

(A) the results of the study; and

(B) any conclusions and recommendations of the Secretary.

**SEC. 2005. SPECIAL RESOURCE STUDY OF GEORGE W. BUSH CHILDHOOD HOME.**

(a) **DEFINITION OF STUDY AREA.**—In this section, the term “study area” means the George W. Bush Childhood Home, located at 1412 West Ohio Avenue, Midland, Texas.

(b) **SPECIAL RESOURCE STUDY.**—

(1) **STUDY.**—The Secretary shall conduct a special resource study of the study area.

(2) **CONTENTS.**—In conducting the study under paragraph (1), the Secretary shall—

(A) evaluate the national significance of the study area;

(B) determine the suitability and feasibility of designating the study area as a unit of the National Park System;

(C) consider other alternatives for preservation, protection, and interpretation of the study area by the Federal Government, State or local government entities, or private and nonprofit organizations;

(D) consult with interested Federal agencies, State or local governmental entities,

private and nonprofit organizations, or any other interested individuals; and

(E) identify cost estimates for any Federal acquisition, development, interpretation, operation, and maintenance associated with the alternatives.

(3) **APPLICABLE LAW.**—The study required under paragraph (1) shall be conducted in accordance with section 100507 of title 54, United States Code.

(4) **REPORT.**—Not later than 3 years after the date on which funds are first made available for the study under paragraph (1), the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report that describes—

(A) the results of the study; and

(B) any conclusions and recommendations of the Secretary.

**Subtitle B—National Park System Boundary Adjustments and Related Matters**

**SEC. 2101. SHILOH NATIONAL MILITARY PARK BOUNDARY ADJUSTMENT.**

(a) **DEFINITIONS.**—In this section:

(1) **AFFILIATED AREA.**—The term “affiliated area” means the Parker’s Crossroads Battlefield established as an affiliated area of the National Park System by subsection (c)(1).

(2) **PARK.**—The term “Park” means Shiloh National Military Park, a unit of the National Park System.

(b) **AREAS TO BE ADDED TO SHILOH NATIONAL MILITARY PARK.**—

(1) **ADDITIONAL AREAS.**—The boundary of the Park is modified to include the areas that are generally depicted on the map entitled “Shiloh National Military Park, Proposed Boundary Adjustment”, numbered 304/80,011, and dated July 2014, and which are comprised of the following:

(A) Fallen Timbers Battlefield.

(B) Russell House Battlefield.

(C) Davis Bridge Battlefield.

(2) **ACQUISITION AUTHORITY.**—The Secretary may acquire the land described in paragraph (1) by donation, purchase from willing sellers with donated or appropriated funds, or exchange.

(3) **ADMINISTRATION.**—Any land acquired under this subsection shall be administered as part of the Park.

(c) **ESTABLISHMENT OF AFFILIATED AREA.**—

(1) **IN GENERAL.**—Parker’s Crossroads Battlefield in the State of Tennessee is established as an affiliated area of the National Park System.

(2) **DESCRIPTION OF AFFILIATED AREA.**—The affiliated area shall consist of the area generally depicted within the “Proposed Boundary” on the map entitled “Parker’s Crossroads Battlefield, Proposed Boundary”, numbered 903/80,073, and dated July 2014.

(3) **ADMINISTRATION.**—The affiliated area shall be managed in accordance with—

(A) this section; and

(B) any law generally applicable to units of the National Park System.

(4) **MANAGEMENT ENTITY.**—The City of Parkers Crossroads and the Tennessee Historical Commission shall jointly be the management entity for the affiliated area.

(5) **COOPERATIVE AGREEMENTS.**—The Secretary may provide technical assistance and enter into cooperative agreements with the management entity for the purpose of providing financial assistance for the marketing, marking, interpretation, and preservation of the affiliated area.

(6) **LIMITED ROLE OF THE SECRETARY.**—Nothing in this section authorizes the Secretary to acquire property at the affiliated area or to assume overall financial responsibility for the operation, maintenance, or management of the affiliated area.

(7) **GENERAL MANAGEMENT PLAN.**—

(A) IN GENERAL.—The Secretary, in consultation with the management entity, shall develop a general management plan for the affiliated area in accordance with section 100502 of title 54, United States Code.

(B) TRANSMITTAL.—Not later than 3 years after the date on which funds are made available to carry out this section, the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate the general management plan developed under subparagraph (A).

**SEC. 2102. OCMULGEE MOUNDS NATIONAL HISTORICAL PARK BOUNDARY.**

(a) DEFINITIONS.—In this section:

(1) HISTORICAL PARK.—The term “Historical Park” means the Ocmulgee Mounds National Historical Park in the State of Georgia, as redesignated by subsection (b)(1)(A).

(2) MAP.—The term “map” means the map entitled “Ocmulgee National Monument Proposed Boundary Adjustment”, numbered 363/125996, and dated January 2016.

(3) STUDY AREA.—The term “study area” means the Ocmulgee River corridor between the cities of Macon, Georgia, and Hawkinsville, Georgia.

(b) OCMULGEE MOUNDS NATIONAL HISTORICAL PARK.—

(1) REDESIGNATION.—

(A) IN GENERAL.—The Ocmulgee National Monument, established pursuant to the Act of June 14, 1934 (48 Stat. 958, chapter 519), shall be known and designated as the “Ocmulgee Mounds National Historical Park”.

(B) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the “Ocmulgee National Monument” shall be deemed to be a reference to the “Ocmulgee Mounds National Historical Park”.

(2) BOUNDARY ADJUSTMENT.—

(A) IN GENERAL.—The boundary of the Historical Park is revised to include approximately 2,100 acres of land, as generally depicted on the map.

(B) AVAILABILITY OF MAP.—The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(3) LAND ACQUISITION.—

(A) IN GENERAL.—The Secretary may acquire land and interests in land within the boundaries of the Historical Park by donation, purchase from a willing seller with donated or appropriated funds, or exchange.

(B) LIMITATION.—The Secretary may not acquire by condemnation any land or interest in land within the boundaries of the Historical Park.

(4) ADMINISTRATION.—The Secretary shall administer any land acquired under paragraph (3) as part of the Historical Park in accordance with applicable laws (including regulations).

(c) OCMULGEE RIVER CORRIDOR SPECIAL RESOURCE STUDY.—

(1) IN GENERAL.—The Secretary shall conduct a special resource study of the study area.

(2) CONTENTS.—In conducting the study under paragraph (1), the Secretary shall—

(A) evaluate the national significance of the study area;

(B) determine the suitability and feasibility of designating the study area as a unit of the National Park System;

(C) consider other alternatives for preservation, protection, and interpretation of the study area by the Federal Government, State or local government entities, or private and nonprofit organizations;

(D) consult with interested Federal agencies, State or local governmental entities, private and nonprofit organizations, or any other interested individuals; and

(E) identify cost estimates for any Federal acquisition, development, interpretation, operation, and maintenance associated with the alternatives.

(3) APPLICABLE LAW.—The study required under paragraph (1) shall be conducted in accordance with section 100507 of title 54, United States Code.

(4) REPORT.—Not later than 3 years after the date on which funds are first made available to carry out the study under paragraph (1), the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that describes—

(A) the results of the study; and

(B) any conclusions and recommendations of the Secretary.

**SEC. 2103. KENNESAW MOUNTAIN NATIONAL BATTLEFIELD PARK BOUNDARY.**

(a) DEFINITIONS.—In this section:

(1) MAP.—The term “map” means the map entitled “Kennesaw Mountain National Battlefield Park, Proposed Boundary Adjustment”, numbered 325/80,020, and dated February 2010.

(2) PARK.—The term “Park” means the Kennesaw Mountain National Battlefield Park.

(b) KENNESAW MOUNTAIN NATIONAL BATTLEFIELD PARK BOUNDARY ADJUSTMENT.—

(1) BOUNDARY ADJUSTMENT.—The boundary of the Park is modified to include the approximately 8 acres of land or interests in land identified as “Wallis House and Harriston Hill”, as generally depicted on the map.

(2) MAP.—The map shall be on file and available for inspection in the appropriate offices of the National Park Service.

(3) LAND ACQUISITION.—The Secretary may acquire land or interests in land described in paragraph (1) by donation, purchase from willing sellers, or exchange.

(4) ADMINISTRATION OF ACQUIRED LAND.—The Secretary shall administer land and interests in land acquired under this section as part of the Park in accordance with applicable laws (including regulations).

**SEC. 2104. FORT FREDERICA NATIONAL MONUMENT, GEORGIA.**

(a) MAXIMUM ACREAGE.—The first section of the Act of May 26, 1936 (16 U.S.C. 433g), is amended by striking “two hundred and fifty acres” and inserting “305 acres”.

(b) BOUNDARY EXPANSION.—

(1) IN GENERAL.—The boundary of the Fort Frederica National Monument in the State of Georgia is modified to include the land generally depicted as “Proposed Acquisition Areas” on the map entitled “Fort Frederica National Monument Proposed Boundary Expansion”, numbered 369/132,469, and dated April 2016.

(2) AVAILABILITY OF MAP.—The map described in paragraph (1) shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(3) ACQUISITION OF LAND.—The Secretary may acquire the land and interests in land described in paragraph (1) by donation or purchase with donated or appropriated funds from willing sellers only.

(4) NO USE OF CONDEMNATION OR EMINENT DOMAIN.—The Secretary may not acquire by condemnation or eminent domain any land or interests in land under this section or for the purposes of this section.

**SEC. 2105. FORT SCOTT NATIONAL HISTORIC SITE BOUNDARY.**

Public Law 95-484 (92 Stat. 1610) is amended—

(1) in the first section—

(A) by inserting “, by purchase with appropriated funds, or by exchange” after “donation”; and

(B) by striking the proviso; and

(2) in section 2—

(A) by striking “SEC. 2. When” and inserting the following:

**“SEC. 2. ESTABLISHMENT.**

“(a) IN GENERAL.—When”; and

(B) by adding at the end the following:

“(b) BOUNDARY MODIFICATION.—The boundary of the Fort Scott National Historic Site established under subsection (a) is modified as generally depicted on the map referred to as ‘Fort Scott National Historic Site Proposed Boundary Modification’, numbered 471/80,057, and dated February 2016.”.

**SEC. 2106. FLORISSANT FOSSIL BEDS NATIONAL MONUMENT BOUNDARY.**

The first section of Public Law 91-60 (83 Stat. 101) is amended—

(1) by striking “entitled ‘Proposed Florissant Fossil Beds National Monument’, numbered NM-FFB-7100, and dated March 1967, and more particularly described by metes and bounds in an attachment to that map,” and inserting “entitled ‘Florissant Fossil Beds National Monument Proposed Boundary Adjustment’, numbered 171/132,544, and dated May 3, 2016,”; and

(2) by striking “six thousand acres” and inserting “6,300 acres”.

**SEC. 2107. VOYAGEURS NATIONAL PARK BOUNDARY ADJUSTMENT.**

(a) BOUNDARIES.—

(1) IN GENERAL.—Section 102(a) of Public Law 91-661 (16 U.S.C. 160a-1(a)) is amended—

(A) in the first sentence, by striking “the drawing entitled” and all that follows through “February 1969” and inserting “the map entitled ‘Voyageurs National Park, Proposed Land Transfer & Boundary Adjustment’, numbered 172/80,056, and dated June 2009 (22 sheets)”;

(B) in the second and third sentences, by striking “drawing” each place it appears and inserting “map”.

(2) TECHNICAL CORRECTIONS.—Section 102(b)(2)(A) of Public Law 91-661 (16 U.S.C. 160a-1(b)(2)(A)) is amended—

(A) by striking “paragraph (1)(C) and (D)” and inserting “subparagraphs (C) and (D) of paragraph (1)”;

(B) in the second proviso, by striking “paragraph 1(E)” and inserting “paragraph (1)(E)”.

(b) LAND ACQUISITIONS.—Section 201 of Public Law 91-661 (16 U.S.C. 160b) is amended—

(1) by striking the section designation and heading and all that follows through “(a) The Secretary” and inserting the following:

**“SEC. 201. LAND ACQUISITIONS.**

“(a) AUTHORIZATION.—

“(1) IN GENERAL.—The Secretary”;

(2) in subsection (a)—

(A) in the second sentence, by striking “When any tract of land is only partly within such boundaries” and inserting the following:

“(2) CERTAIN PORTIONS OF TRACTS.—

“(A) IN GENERAL.—In any case in which only a portion of a tract of land is within the boundaries of the park”;

(B) in the third sentence, by striking “Land so acquired” and inserting the following:

“(B) EXCHANGE.—

“(i) IN GENERAL.—Any land acquired pursuant to subparagraph (A)”;

(C) in the fourth sentence, by striking “Any portion” and inserting the following:

“(ii) PORTIONS NOT EXCHANGED.—Any portion”;

(D) in the fifth sentence, by striking “Any Federal property” and inserting the following:

“(C) TRANSFERS OF FEDERAL PROPERTY.—Any Federal property”;

(E) by striking the last sentence and inserting the following:

“(D) ADMINISTRATIVE JURISDICTION.—Effective beginning on the date of enactment of this subparagraph, there is transferred to the National Park Service administrative jurisdiction over—

“(i) any land managed by the Bureau of Land Management within the boundaries of the park, as depicted on the map described in section 102(a); and

“(ii) any additional public land identified by the Bureau of Land Management as appropriate for transfer within the boundaries of the park.

“(E) LAND OWNED BY STATE.—

“(i) DONATIONS AND EXCHANGES.—Any land located within or adjacent to the boundaries of the park that is owned by the State of Minnesota (or a political subdivision of the State) may be acquired by the Secretary only through donation or exchange.

“(ii) REVISION.—On completion of an acquisition from the State under clause (i), the Secretary shall revise the boundaries of the park to reflect the acquisition.”; and

(3) in subsection (b), by striking “(b) In exercising his” and inserting the following:

“(b) OFFERS BY INDIVIDUALS.—In exercising the”.

#### SEC. 2108. ACADIA NATIONAL PARK BOUNDARY.

(a) BOUNDARY CLARIFICATION.—Section 101 of Public Law 99-420 (16 U.S.C. 341 note) is amended—

(1) in the first sentence, by striking “In order to” and inserting the following:

“(a) BOUNDARIES.—Subject to subsections (b) and (c)(2), to”;

(2) in the second sentence—

(A) by striking “The map shall be on file” and inserting the following:

“(c) AVAILABILITY AND REVISIONS OF MAPS.—

“(1) AVAILABILITY.—The map, together with the map described in subsection (b)(1) and any revised boundary map published under paragraph (2), if applicable, shall be—

“(A) on file”; and

(B) by striking “Interior, and it shall be made” and inserting the following: “Interior; and

“(B) made”;

(3) by inserting after subsection (a) (as designated by paragraph (1)) the following:

“(b) SCHOODIC PENINSULA ADDITION.—

“(1) IN GENERAL.—The boundary of the Park is confirmed to include approximately 1,441 acres of land and interests in land, as depicted on the map entitled ‘Acadia National Park, Hancock County, Maine, Schoodic Peninsula Boundary Revision’, numbered 123/129102, and dated July 10, 2015.

“(2) RATIFICATION AND APPROVAL OF ACQUISITIONS OF LAND.—Congress ratifies and approves—

“(A) effective as of September 26, 2013, the acquisition by the United States of the land and interests in the land described in paragraph (1); and

“(B) effective as of the date on which the alteration occurred, any alteration of the land or interests in the land described in paragraph (1) that is held or claimed by the United States (including conversion of the land to fee simple interest) that occurred after the date described in subparagraph (A).”; and

(4) in subsection (c) (as designated by paragraph (2)(A)), by adding at the end the following:

“(2) TECHNICAL AND LIMITED REVISIONS.—Subject to section 102(k), notwithstanding any other provision of this section, the Secretary of the Interior (referred to in this title as the ‘Secretary’), by publication in the Federal Register of a revised boundary map or other description, may make—

“(A) such technical boundary revisions as the Secretary determines to be appropriate

to the permanent boundaries of the Park (including any property of the Park located within the Schoodic Peninsula and Isle Au Haut districts) to resolve issues resulting from causes such as survey error or changed road alignments; and

“(B) such limited boundary revisions as the Secretary determines to be appropriate to the permanent boundaries of the Park to take into account acquisitions or losses, by exchange, donation, or purchase from willing sellers using donated or appropriated funds, of land adjacent to or within the Park, respectively, in any case in which the total acreage of the land to be so acquired or lost is less than 10 acres, subject to the condition that—

“(i) any such boundary revision shall not be a part of a more-comprehensive boundary revision; and

“(ii) all such boundary revisions, considered collectively with any technical boundary revisions made pursuant to subparagraph (A), do not increase the size of the Park by more than a total of 100 acres, as compared to the size of the Park on the date of enactment of this paragraph.”.

(b) LIMITATION ON ACQUISITIONS OF LAND FOR ACADIA NATIONAL PARK.—Section 102 of Public Law 99-420 (16 U.S.C. 341 note) is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by striking “of the Interior (hereinafter in this title referred to as ‘the Secretary’)”;

(2) in subsection (d)(1), in the first sentence, by striking “the the” and inserting “the”;

(3) in subsection (k)—

(A) by redesignating the subsection as paragraph (4) and indenting the paragraph appropriately; and

(B) by moving the paragraph so as to appear at the end of subsection (b); and

(4) by adding at the end the following:

“(k) REQUIREMENTS.—Before revising the boundaries of the Park pursuant to this section or section 101(c)(2)(B), the Secretary shall—

“(1) certify that the proposed boundary revision will contribute to, and is necessary for, the proper preservation, protection, interpretation, or management of the Park;

“(2) consult with the governing body of each county, city, town, or other jurisdiction with primary taxing authority over the land or interest in land to be acquired regarding the impacts of the proposed boundary revision;

“(3) obtain from each property owner the land or interest in land of which is proposed to be acquired for, or lost from, the Park written consent for the proposed boundary revision; and

“(4) submit to the Acadia National Park Advisory Commission established by section 103(a), the Committee on Natural Resources of the House of Representatives, the Committee on Energy and Natural Resources of the Senate, and the Maine Congressional Delegation a written notice of the proposed boundary revision.

“(l) LIMITATION.—The Secretary may not use the authority provided by section 100506 of title 54, United States Code, to adjust the permanent boundaries of the Park pursuant to this title.”.

(c) ACADIA NATIONAL PARK ADVISORY COMMISSION.—

(1) IN GENERAL.—The Secretary shall reestablish and appoint members to the Acadia National Park Advisory Commission in accordance with section 103 of Public Law 99-420 (16 U.S.C. 341 note).

(2) CONFORMING AMENDMENT.—Section 103 of Public Law 99-420 (16 U.S.C. 341 note) is amended by striking subsection (f).

(d) REPEAL OF CERTAIN PROVISIONS RELATING TO ACADIA NATIONAL PARK.—The following are repealed:

(1) Section 3 of the Act of February 26, 1919 (40 Stat. 1178, chapter 45).

(2) The first section of the Act of January 19, 1929 (45 Stat. 1083, chapter 77).

(e) MODIFICATION OF USE RESTRICTION.—The Act of August 1, 1950 (64 Stat. 383, chapter 511), is amended—

(1) by striking “That the Secretary” and inserting the following:

“SECTION 1. CONVEYANCE OF LAND IN ACADIA NATIONAL PARK.

“The Secretary”; and

(2) by striking “for school purposes” and inserting “for public purposes, subject to the conditions that use of the land shall not degrade or adversely impact the resources or values of Acadia National Park and that the land shall remain in public ownership for recreational, educational, or similar public purposes”.

(f) CONTINUATION OF CERTAIN TRADITIONAL USES.—Title I of Public Law 99-420 (16 U.S.C. 341 note) is amended by adding at the end the following:

“SEC. 109. CONTINUATION OF CERTAIN TRADITIONAL USES.

“(a) DEFINITIONS.—In this section:

“(1) LAND WITHIN THE PARK.—The term ‘land within the Park’ means land owned or controlled by the United States—

“(A) that is within the boundary of the Park established by section 101; or

“(B)(i) that is outside the boundary of the Park; and

“(ii) in which the Secretary has or acquires a property interest or conservation easement pursuant to this title.

“(2) MARINE SPECIES; MARINE WORM; SHELLFISH.—The terms ‘marine species’, ‘marine worm’, and ‘shellfish’ have the meanings given those terms in section 6001 of title 12 of the Maine Revised Statutes (as in effect on the date of enactment of this section).

“(3) STATE LAW.—The term ‘State law’ means the law (including regulations) of the State of Maine, including the common law.

“(4) TAKING.—The term ‘taking’ means the removal or attempted removal of a marine species, marine worm, or shellfish from the natural habitat of the marine species, marine worm, or shellfish.

“(b) CONTINUATION OF TRADITIONAL USES.—The Secretary shall allow for the traditional taking of marine species, marine worms, and shellfish, on land within the Park between the mean high watermark and the mean low watermark in accordance with State law.”.

(g) CONVEYANCE OF CERTAIN LAND IN ACADIA NATIONAL PARK TO THE TOWN OF BAR HARBOR, MAINE.—

(1) IN GENERAL.—The Secretary shall convey to the Town of Bar Harbor all right, title, and interest of the United States in and to the .29-acre parcel of land in Acadia National Park identified as lot 110-055-000 on the tax map of the Town of Bar Harbor for section 110, dated April 1, 2015, to be used for—

(A) a solid waste transfer facility; or

(B) other public purposes consistent with uses allowed under 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.).

(2) REVERSION.—If the land conveyed under paragraph (1) is used for a purpose other than a purpose described in that paragraph, the land shall, at the discretion of the Secretary, revert to the United States.

#### SEC. 2109. AUTHORITY OF SECRETARY OF THE INTERIOR TO ACCEPT CERTAIN PROPERTIES, MISSOURI.

(a) STE. GENEVIEVE NATIONAL HISTORICAL PARK.—Section 7134(a)(3) of the Energy and

Natural Resources Act of 2017 (as enacted into law by section 121(a)(2) of division G of the Consolidated Appropriations Act, 2018 (Public Law 115-141)) is amended by striking “‘Ste. Genevieve National Historical Park Proposed Boundary’, numbered 571/132,626, and dated May 2016” and inserting “‘Ste. Genevieve National Historical Park Proposed Boundary Addition’, numbered 571/149,942, and dated December 2018”.

(b) HARRY S TRUMAN NATIONAL HISTORIC SITE.—Public Law 98-32 (54 U.S.C. 320101 note) is amended—

(1) in section 3, by striking the section designation and all that follows through “is authorized” and inserting the following:

**“SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

“There are authorized”;

(2) in section 2—

(A) in the second sentence, by striking “The Secretary is further authorized, in the administration of the site, to” and inserting the following:

“(b) USE BY MARGARET TRUMAN DANIEL.—In administering the Harry S Truman National Historic Site, the Secretary may”;

(B) by striking the section designation and all that follows through “and shall be” in the first sentence and inserting the following:

**“SEC. 3. DESIGNATION; USE BY MARGARET TRUMAN DANIEL.**

“(a) DESIGNATION.—Any property acquired pursuant to section 2—

“(1) is designated as the ‘Harry S Truman National Historic Site’; and

“(2) shall be”;

(3) in the first section—

(A) by redesignating subsection (e) as paragraph (2), indenting the paragraph appropriately, and moving the paragraph so as to appear at the end of subsection (c);

(B) in subsection (c)—

(i) by striking the subsection designation and all that follows through “authorized to” and inserting the following:

“(c) TRUMAN FARM HOME.—

“(1) IN GENERAL.—The Secretary may”;

(ii) in paragraph (2) (as redesignated by subparagraph (A))—

(I) by striking “Farm House” and inserting “Farm Home”;

(II) by striking the paragraph designation and all that follows through “authorized and directed to” and inserting the following:

“(2) TECHNICAL AND PLANNING ASSISTANCE.—The Secretary shall”;

(C) in subsection (b)—

(i) by striking “(b)(1) The Secretary is further authorized to” and inserting the following:

“(b) NOLAND/HAUKENBERRY AND WALLACE HOUSES.—

“(1) IN GENERAL.—The Secretary may”;

(ii) in paragraph (1), by indenting subparagraphs (A) and (B) appropriately;

(D) by adding at the end the following:

“(e) ADDITIONAL LAND IN INDEPENDENCE FOR VISITOR CENTER.—

“(1) IN GENERAL.—The Secretary may acquire, by donation from the city of Independence, Missouri, the land described in paragraph (2) for—

“(A) inclusion in the Harry S Truman National Historic Site; and

“(B) if the Secretary determines appropriate, use as a visitor center of the historic site, which may include administrative services.

“(2) DESCRIPTION OF LAND.—The land referred to in paragraph (1) consists of the approximately 1.08 acres of land—

“(A) owned by the city of Independence, Missouri;

“(B) designated as Lots 6 through 19, DELAYS Subdivision, a subdivision in Independence, Jackson County, Missouri; and

“(C) located in the area of the city bound by Truman Road on the south, North Lynn Street on the west, East White Oak Street on the north, and the city transit center on the east.

“(3) BOUNDARY MODIFICATION.—On acquisition of the land under this subsection, the Secretary shall modify the boundary of the Harry S Truman National Historic Site to reflect that acquisition.”;

(E) in subsection (a)—

(i) in the second sentence, by striking “The Secretary may also acquire, by any of the above means, fixtures,” and inserting the following:

“(2) FIXTURES AND PERSONAL PROPERTY.—

The Secretary may acquire, by any means described in paragraph (1), any fixtures”;

(ii) in the first sentence—

(I) by striking “of the Interior (hereinafter referred to as the ‘Secretary’)”; and

(II) by striking “That (a) in order to” and inserting the following:

**“SECTION 1. SHORT TITLE; DEFINITION OF SECRETARY.**

“(a) SHORT TITLE.—This Act may be cited as the ‘Harry S Truman National Historic Site Establishment Act’.

“(b) DEFINITION OF SECRETARY.—In this Act, the term ‘Secretary’ means the Secretary of the Interior.

**“SEC. 2. PURPOSE; ACQUISITION OF PROPERTY.**

“(a) PURPOSE; ACQUISITION.—

“(1) IN GENERAL.—To”.

**SEC. 2110. HOME OF FRANKLIN D. ROOSEVELT NATIONAL HISTORIC SITE.**

(a) LAND ACQUISITION.—The Secretary may acquire, by donation, purchase from a willing seller using donated or appropriated funds, or exchange, the approximately 89 acres of land identified as the “Morgan Property” and generally depicted on the map entitled “Home of Franklin D. Roosevelt National Historic Site, Proposed Park Addition”, numbered 384/138,461, and dated May 2017.

(b) AVAILABILITY OF MAP.—The map referred to in subsection (a) shall be available for public inspection in the appropriate offices of the National Park Service.

(c) BOUNDARY ADJUSTMENT; ADMINISTRATION.—On acquisition of the land referred to in subsection (a), the Secretary shall—

(1) adjust the boundary of the Home of Franklin D. Roosevelt National Historic Site to reflect the acquisition; and

(2) administer the acquired land as part of the Home of Franklin D. Roosevelt National Historic Site, in accordance with applicable laws.

**Subtitle C—National Park System  
Redesignations**

**SEC. 2201. DESIGNATION OF SAINT-GAUDENS NATIONAL HISTORIC PARK.**

(a) IN GENERAL.—The Saint-Gaudens National Historic Site shall be known and designated as the “Saint-Gaudens National Historic Park”.

(b) AMENDMENTS TO PUBLIC LAW 88-543.—Public Law 88-543 (78 Stat.749) is amended—

(1) by striking “National Historic Site” each place it appears and inserting “National Historic Park”;

(2) in section 2(a), by striking “historic site” and inserting “Saint-Gaudens National Historic Park”;

(3) in section 3, by—

(A) striking “national historical site” and inserting “Saint-Gaudens National Historic Park”;

(B) striking “part of the site” and inserting “part of the park”;

(4) in section 4(b), by striking “traditional to the site” and inserting “traditional to the park”.

(c) REFERENCES.—Any reference in any law, regulation, document, record, map, or

other paper of the United States to the Saint-Gaudens National Historic Site shall be considered to be a reference to the “Saint-Gaudens National Historic Park”.

**SEC. 2202. REDESIGNATION OF ROBERT EMMET PARK.**

(a) REDESIGNATION.—The small triangular property designated by the National Park Service as reservation 302, shall be known as “Robert Emmet Park”.

(b) REFERENCE.—Any reference in any law, regulation, document, record, map, paper, or other record of the United States to the property referred to in subsection (a) is deemed to be a reference to “Robert Emmet Park”.

(c) SIGNAGE.—The Secretary may post signs on or near Robert Emmet Park that include 1 or more of the following:

(1) Information on Robert Emmet, his contribution to Irish Independence, and his respect for the United States and the American Revolution.

(2) Information on the history of the statue of Robert Emmet located in Robert Emmet Park.

**SEC. 2203. FORT SUMTER AND FORT MOULTRIE NATIONAL HISTORIC PARK.**

(a) DEFINITIONS.—In this section:

(1) MAP.—The term “map” means the map entitled “Boundary Map, Fort Sumter and Fort Moultrie National Historic Park”, numbered 392/80,088, and dated August 2009.

(2) PARK.—The term “Park” means the Fort Sumter and Fort Moultrie National Historic Park established by subsection (b).

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

(4) SULLIVAN’S ISLAND LIFE SAVING STATION HISTORIC DISTRICT.—The term “Sullivan’s Island Life Saving Station Historic District” means the Charleston Lighthouse, the boat-house, garage, bunker/sighting station, signal tower, and any associated land and improvements to the land that are located between Sullivan’s Island Life Saving Station and the mean low water mark.

(b) ESTABLISHMENT.—There is established the Fort Sumter and Fort Moultrie National Historic Park in the State as a single unit of the National Park System to preserve, maintain, and interpret the nationally significant historical values and cultural resources associated with Fort Sumter National Monument, Fort Moultrie National Monument, and the Sullivan’s Island Life Saving Station Historic District.

(c) BOUNDARY.—The boundary of the Park shall be as generally depicted on the map.

(d) AVAILABILITY OF MAP.—The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(e) ADMINISTRATION.—

(1) IN GENERAL.—The Secretary, acting through the Director of the National Park Service, shall administer the Park in accordance with this section and the laws generally applicable to units of the National Park System, including—

(A) section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753, and 102101 of title 54, United States Code; and

(B) chapter 3201 of title 54, United States Code.

(2) INTERPRETATION OF HISTORICAL EVENTS.—The Secretary shall provide for the interpretation of historical events and activities that occurred in the vicinity of Fort Sumter and Fort Moultrie, including—

(A) the Battle of Sullivan’s Island on June 28, 1776;

(B) the Siege of Charleston during 1780;

(C) the Civil War, including—

(i) the bombardment of Fort Sumter by Confederate forces on April 12, 1861; and

(ii) any other events of the Civil War that are associated with Fort Sumter and Fort Moultrie;

(D) the development of the coastal defense system of the United States during the period from the Revolutionary War to World War II, including—

(i) the Sullivan's Island Life Saving Station;

(ii) the lighthouse associated with the Sullivan's Island Life Saving Station; and

(iii) the coastal defense sites constructed during the period of fortification construction from 1898 to 1942, known as the "Endicott Period"; and

(E) the lives of—

(i) the free and enslaved workers who built and maintained Fort Sumter and Fort Moultrie;

(ii) the soldiers who defended the forts;

(iii) the prisoners held at the forts; and

(iv) captive Africans bound for slavery who, after first landing in the United States, were brought to quarantine houses in the vicinity of Fort Moultrie in the 18th century, if the Secretary determines that the quarantine houses and associated historical values are nationally significant.

(f) COOPERATIVE AGREEMENTS.—The Secretary may enter into cooperative agreements with public and private entities and individuals to carry out this section.

(g) REPEAL OF EXISTING LAW.—Section 2 of the Joint Resolution entitled "Joint Resolution to establish the Fort Sumter National Monument in the State of South Carolina", approved April 28, 1948 (16 U.S.C. 450ee-1), is repealed.

**SEC. 2204. RECONSTRUCTION ERA NATIONAL HISTORICAL PARK AND RECONSTRUCTION ERA NATIONAL HISTORIC NETWORK.**

(a) DEFINITIONS.—In this section:

(1) HISTORICAL PARK.—The term "historical park" means the Reconstruction Era National Historical Park.

(2) MAP.—The term "Map" means the maps entitled "Reconstruction Era National Monument Old Beaufort Firehouse", numbered 550/135,755, and dated January 2017; "Reconstruction Era National Monument Darrah Hall and Brick Baptist Church", numbered 550/135,756, and dated January 2017; and "Reconstruction Era National Monument Camp Saxton", numbered 550/135,757, and dated January 2017, collectively.

(3) NETWORK.—The term "Network" means the Reconstruction Era National Historic Network established pursuant to this section.

(b) RECONSTRUCTION ERA NATIONAL HISTORICAL PARK.—

(1) REDESIGNATION OF RECONSTRUCTION ERA NATIONAL MONUMENT.—

(A) IN GENERAL.—The Reconstruction Era National Monument is redesignated as the Reconstruction Era National Historical Park, as generally depicted on the Map.

(B) AVAILABILITY OF FUNDS.—Any funds available for the purposes of the Reconstruction Era National Monument shall be available for the purposes of the historical park.

(C) REFERENCES.—Any references in a law, regulation, document, record, map, or other paper of the United States to the Reconstruction Era National Monument shall be considered to be a reference to the historical park.

(2) BOUNDARY EXPANSION.—

(A) BEAUFORT NATIONAL HISTORIC LANDMARK DISTRICT.—Subject to subparagraph (D), the Secretary is authorized to acquire land or interests in land within the Beaufort National Historic Landmark District that has historic connection to the Reconstruction Era. Upon finalizing an agreement to acquire land, the Secretary shall expand the boundary of the historical park to encompass the property.

(B) ST. HELENA ISLAND.—Subject to subparagraph (D), the Secretary is authorized to acquire the following and shall expand the boundary of the historical park to include acquisitions under this authority:

(i) Land and interests in land adjacent to the existing boundary on St. Helena Island, South Carolina, as reflected on the Map.

(ii) Land or interests in land on St. Helena Island, South Carolina, that has a historic connection to the Reconstruction Era.

(C) CAMP SAXTON.—Subject to subparagraph (D), the Secretary is authorized to accept administrative jurisdiction of Federal land or interests in Federal land adjacent to the existing boundary at Camp Saxton, as reflected on the Map. Upon finalizing an agreement to accept administrative jurisdiction of Federal land or interests in Federal land, the Secretary shall expand the boundary of the historical park to encompass that Federal land or interests in Federal land.

(D) LAND ACQUISITION AUTHORITY.—The Secretary may only acquire land under this section by donation, exchange, or purchase with donated funds.

(3) ADMINISTRATION.—

(A) IN GENERAL.—The Secretary shall administer the historical park in accordance with this section and with the laws generally applicable to units of the National Park System.

(B) MANAGEMENT PLAN.—If the management plan for the Reconstruction Era National Monument—

(i) has not been completed on or before the date of enactment of this Act, the Secretary shall incorporate all provisions of this section into the planning process and complete a management plan for the historical park within 3 years; and

(ii) has been completed on or before the date of enactment of this Act, the Secretary shall update the plan incorporating the provisions of this section.

(c) RECONSTRUCTION ERA NATIONAL HISTORIC NETWORK.—

(1) IN GENERAL.—The Secretary shall—

(A) establish, within the National Park Service, a program to be known as the "Reconstruction Era National Historic Network";

(B) not later than 1 year after the date of enactment of this Act, solicit proposals from sites interested in being a part of the Network; and

(C) administer the Network through the historical park.

(2) DUTIES OF SECRETARY.—In carrying out the Network, the Secretary shall—

(A) review studies and reports to complement and not duplicate studies of the historical importance of Reconstruction Era that may be underway or completed, such as the National Park Service Reconstruction Handbook and the National Park Service Theme Study on Reconstruction;

(B) produce and disseminate appropriate educational and promotional materials relating to the Reconstruction Era and the sites in the Network, such as handbooks, maps, interpretive guides, or electronic information;

(C) enter into appropriate cooperative agreements and memoranda of understanding to provide technical assistance;

(D)(i) create and adopt an official, uniform symbol or device for the Network; and

(ii) issue regulations for the use of the symbol or device adopted under clause (i); and

(E) conduct research relating to Reconstruction and the Reconstruction Era.

(3) ELEMENTS.—The Network shall encompass the following elements:

(A) All units and programs of the National Park Service that are determined by the

Secretary to relate to the Reconstruction Era.

(B) Other Federal, State, local, and privately owned properties that the Secretary determines—

(i) relate to the Reconstruction Era; and

(ii) are included in, or determined by the Secretary to be eligible for inclusion in, the National Register of Historic Places.

(C) Other governmental and nongovernmental sites, facilities, and programs of an educational, research, or interpretive nature that are directly related to the Reconstruction Era.

(4) COOPERATIVE AGREEMENTS AND MEMORANDA OF UNDERSTANDING.—To achieve the purposes of this section and to ensure effective coordination of the Federal and non-Federal elements of the Network and units and programs of the National Park Service, the Secretary may enter into cooperative agreements and memoranda of understanding with, and provide technical assistance to, the heads of other Federal agencies, States, units of local government, regional governmental bodies, and private entities.

**SEC. 2205. GOLDEN SPIKE NATIONAL HISTORICAL PARK.**

(a) DEFINITIONS.—In this section:

(1) PARK.—The term "Park" means the Golden Spike National Historical Park designated by subsection (b)(1).

(2) PROGRAM.—The term "Program" means the program to commemorate and interpret the Transcontinental Railroad authorized under subsection (c).

(3) SECRETARY.—The term "Secretary" means the Secretary, acting through the Director of the National Park Service.

(4) TRANSCONTINENTAL RAILROAD.—The term "Transcontinental Railroad" means the approximately 1,912-mile continuous railroad constructed between 1863 and 1869 extending from Council Bluffs, Iowa, to San Francisco, California.

(b) REDESIGNATION.—

(1) REDESIGNATION.—The Golden Spike National Historic Site designated April 2, 1957, and placed under the administration of the National Park Service under Public Law 89-102 (54 U.S.C. 320101 note; 79 Stat. 426), shall be known and designated as the "Golden Spike National Historical Park".

(2) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Golden Spike National Historic Site shall be considered to be a reference to the "Golden Spike National Historical Park".

(c) TRANSCONTINENTAL RAILROAD COMMEMORATION AND PROGRAM.—

(1) IN GENERAL.—Subject to paragraph (2), the Secretary shall establish within the National Park Service a program to commemorate and interpret the Transcontinental Railroad.

(2) STUDY.—Before establishing the Program, the Secretary shall conduct a study of alternatives for commemorating and interpreting the Transcontinental Railroad that includes—

(A) a historical assessment of the Transcontinental Railroad;

(B) the identification of—

(i) existing National Park System land and affiliated areas, land managed by other Federal agencies, and Federal programs that may be related to preserving, commemorating, and interpreting the Transcontinental Railroad;

(ii) any properties relating to the Transcontinental Railroad—

(I) that are designated as, or could meet the criteria for designation as, National Historic Landmarks; or

(II) that are included, or eligible for inclusion, on the National Register of Historic Places;



(iii) any objects relating to the Transcontinental Railroad that have educational, research, or interpretative value; and

(iv) any governmental programs and non-governmental programs of an educational, research, or interpretative nature relating to the Transcontinental Railroad; and

(C) recommendations for—

(i) incorporating the resources identified under subparagraph (B) into the Program; and

(ii) other appropriate ways to enhance historical research, education, interpretation, and public awareness of the Transcontinental Railroad.

(3) REPORT.—Not later than 3 years after the date on which funds are made available to carry out the study under paragraph (2), the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report containing the findings and recommendations of the study.

(4) FREIGHT RAILROAD OPERATIONS.—The Program shall not include any properties that are—

(A) used in active freight railroad operations (or other ancillary purposes); or

(B) reasonably anticipated to be used for freight railroad operations in the future.

(5) ELEMENTS OF THE PROGRAM.—In carrying out the Program under this subsection, the Secretary—

(A) shall produce and disseminate appropriate education materials relating to the history, construction, and legacy of the Transcontinental Railroad, such as handbooks, maps, interpretive guides, or electronic information;

(B) may enter into appropriate cooperative agreements and memoranda of understanding and provide technical assistance to the heads of other Federal agencies, States, units of local government, regional governmental bodies, and private entities to further the purposes of the Program and this section; and

(C) may—

(i) create and adopt an official, uniform symbol or device to identify the Program; and

(ii) issue guidance for the use of the symbol or device created and adopted under clause (i).

(d) PROGRAMMATIC AGREEMENT.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall seek to enter into a programmatic agreement with the Utah State Historic Preservation Officer to add to the list of undertakings eligible for streamlined review under section 306108 of title 54, United States Code, certain uses that would have limited physical impact to land in the Park.

(2) DEVELOPMENT AND CONSULTATION.—The programmatic agreement entered into under paragraph (1) shall be developed—

(A) in accordance with applicable laws (including regulations); and

(B) in consultation with adjacent landowners, Indian Tribes, and other interested parties.

(3) APPROVAL.—The Secretary shall—

(A) consider any application for uses covered by the programmatic agreement; and

(B) not later than 60 days after the receipt of an application described in subparagraph (A), approve the application, if the Secretary determines the application is consistent with—

(i) the programmatic agreement entered into under paragraph (1); and

(ii) applicable laws (including regulations).

(e) INVASIVE SPECIES.—The Secretary shall consult with, and seek to coordinate with, adjacent landowners to address the treat-

ment of invasive species adjacent to, and within the boundaries of, the Park.

## SEC. 2206. WORLD WAR II PACIFIC SITES.

(a) PEARL HARBOR NATIONAL MEMORIAL, HAWAII.—

(1) DEFINITIONS.—In this subsection:

(A) MAP.—The term “Map” means the map entitled “Pearl Harbor National Memorial—Proposed Boundary”, numbered 580/140,514, and dated November 2017.

(B) NATIONAL MEMORIAL.—The term “National Memorial” means the Pearl Harbor National Memorial established by paragraph (2)(A)(i).

(2) PEARL HARBOR NATIONAL MEMORIAL.—

(A) ESTABLISHMENT.—

(i) IN GENERAL.—There is established the Pearl Harbor National Memorial in the State of Hawaii as a unit of the National Park System.

(ii) BOUNDARIES.—The boundaries of the National Memorial shall be the boundaries generally depicted on the Map.

(iii) AVAILABILITY OF MAP.—The Map shall be on file and available for public inspection in appropriate offices of the National Park Service.

(B) PURPOSES.—The purposes of the National Memorial are to preserve, interpret, and commemorate for the benefit of present and future generations the history of World War II in the Pacific from the events leading to the December 7, 1941, attack on O’ahu, to peace and reconciliation.

(3) ADMINISTRATION.—The Secretary shall administer the National Memorial in accordance with this subsection, section 121 of Public Law 111–88 (123 Stat. 2930), and the laws generally applicable to units of the National Park System including—

(A) section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753, and 102101 of title 54, United States Code; and

(B) chapter 3201 of title 54, United States Code.

(4) REMOVAL OF PEARL HARBOR NATIONAL MEMORIAL FROM THE WORLD WAR II VALOR IN THE PACIFIC NATIONAL MONUMENT.—

(A) BOUNDARIES.—The boundaries of the World War II Valor in the Pacific National Monument are revised to exclude from the monument the land and interests in land identified as the “Pearl Harbor National Memorial”, as depicted on the Map.

(B) INCORPORATION INTO NATIONAL MEMORIAL.—

(i) IN GENERAL.—The land and interests in land excluded from the monument under subparagraph (A) are incorporated in and made part of the National Memorial in accordance with this subsection.

(ii) USE OF FUNDS.—Any funds for the purposes of the land and interests in land excluded from the monument under subparagraph (A) shall be made available for the purposes of the National Memorial.

(iii) REFERENCES.—Any reference in a law (other than this section), regulation, document, record, map, or other paper of the United States to resources in the State of Hawaii included in the World War II Valor in the Pacific National Monument shall be considered a reference to the “Pearl Harbor National Memorial”.

(b) TULE LAKE NATIONAL MONUMENT, CALIFORNIA.—

(1) IN GENERAL.—The areas of the World War II Valor in the Pacific National Monument located in the State of California, as established by Presidential Proclamation 8327 (73 Fed. Reg. 75293; December 10, 2008), are redesignated as the “Tule Lake National Monument”.

(2) ADMINISTRATION.—The Secretary shall administer the Tule Lake National Monument in accordance with the provisions of Presidential Proclamation 8327 (73 Fed. Reg.

75293; December 10, 2008) applicable to the sites and resources in the State of California that are subject to that proclamation.

(3) REFERENCES.—Any reference in a law (other than this section), regulation, document, record, map, or other paper of the United States to resources in the State of California included in the World War II Valor in the Pacific National Monument shall be considered to be a reference to “Tule Lake National Monument”.

(c) ALEUTIAN ISLANDS WORLD WAR II NATIONAL MONUMENT, ALASKA.—

(1) IN GENERAL.—The areas of the World War II Valor in the Pacific National Monument located in the State of Alaska, as established by Presidential Proclamation 8327 (73 Fed. Reg. 75293; December 10, 2008), are redesignated as the “Aleutian Islands World War II National Monument”.

(2) ADMINISTRATION.—The Secretary shall administer the Aleutian Islands World War II National Monument in accordance with the provisions of Presidential Proclamation 8327 (73 Fed. Reg. 75293; December 10, 2008) applicable to the sites and resources in the State of Alaska that are subject to that proclamation.

(3) REFERENCES.—Any reference in a law (other than this section), regulation, document, record, map, or other paper of the United States to the sites and resources in the State of Alaska included in the World War II Valor in the Pacific National Monument shall be considered to be a reference to the “Aleutian Islands World War II National Monument”.

(d) HONOLULI NATIONAL HISTORIC SITE, HAWAII.—

(1) DEFINITIONS.—In this subsection:

(A) HISTORIC SITE.—The term “Historic Site” means the Honouliuli National Historic Site established by paragraph (2)(A)(i).

(B) MAP.—The term “Map” means the map entitled “Honouliuli National Historic Site—Proposed Boundary”, numbered 680/139428, and dated June 2017.

(2) HONOLULI NATIONAL HISTORIC SITE.—

(A) ESTABLISHMENT.—

(i) IN GENERAL.—There is established the Honouliuli National Historic Site in the State of Hawaii as a unit of the National Park System.

(ii) BOUNDARIES.—The boundaries of the Historic Site shall be the boundaries generally depicted on the Map.

(iii) AVAILABILITY OF MAP.—The Map shall be on file and available for public inspection in appropriate offices of the National Park Service.

(B) PURPOSES.—The purposes of the Historic Site are to preserve and interpret for the benefit of present and future generations the history associated with the internment and detention of civilians of Japanese and other ancestries during World War II in Hawaii, the impacts of war and martial law on society in the Hawaiian Islands, and the co-location and diverse experiences of Prisoners of War at the Honouliuli Internment Camp site.

(3) ADMINISTRATION.—

(A) IN GENERAL.—The Secretary shall administer the Historic Site in accordance with this subsection and the laws generally applicable to units of the National Park System, including—

(i) section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753, and 102101 of title 54, United States Code; and

(ii) chapter 3201 of title 54, United States Code.

(B) PARTNERSHIPS.—

(i) IN GENERAL.—The Secretary may enter into agreements with, or acquire easements from, the owners of property adjacent to the Historic Site to provide public access to the Historic Site.

(ii) INTERPRETATION.—The Secretary may enter into cooperative agreements with governmental and nongovernmental organizations to provide for interpretation at the Historic Site.

(C) SHARED RESOURCES.—To the maximum extent practicable, the Secretary may use the resources of the Pearl Harbor National Memorial to administer the Historic Site.

(4) ABOLISHMENT OF HONOULIULI NATIONAL MONUMENT.—

(A) IN GENERAL.—In light of the establishment of the Honouliuli National Historic Site, the Honouliuli National Monument is abolished and the lands and interests therein are incorporated within and made part of Honouliuli National Historic Site. Any funds available for purposes of Honouliuli National Monument shall be available for purposes of the Historic Site.

(B) REFERENCES.—Any references in law (other than in this section), regulation, document, record, map or other paper of the United States to Honouliuli National Monument shall be considered a reference to Honouliuli National Historic Site.

#### Subtitle D—New Units of the National Park System

#### SEC. 2301. MEDGAR AND MYRLIE EVERS HOME NATIONAL MONUMENT.

(a) DEFINITIONS.—In this section:

(1) COLLEGE.—The term “College” means Tougaloo College, a private educational institution located in Tougaloo, Mississippi.

(2) HISTORIC DISTRICT.—The term “Historic District” means the Medgar Evers Historic District, as included on the National Register of Historic Places, and as generally depicted on the Map.

(3) MAP.—The term “Map” means the map entitled “Medgar and Myrlie Evers Home National Monument”, numbered 515/142561, and dated September 2018.

(4) MONUMENT.—The term “Monument” means the Medgar and Myrlie Evers Home National Monument established by subsection (b).

(5) SECRETARY.—The term “Secretary” means the Secretary, acting through the Director of the National Park Service.

(b) ESTABLISHMENT.—

(1) IN GENERAL.—Subject to paragraph (2), there is established the Medgar and Myrlie Evers Home National Monument in the State of Mississippi as a unit of the National Park System to preserve, protect, and interpret for the benefit of present and future generations resources associated with the pivotal roles of Medgar and Myrlie Evers in the American Civil Rights Movement.

(2) DETERMINATION BY THE SECRETARY.—The Monument shall not be established until the date on which the Secretary determines that a sufficient quantity of land or interests in land has been acquired to constitute a manageable park unit.

(c) BOUNDARIES.—The boundaries of the Monument shall be the boundaries generally depicted on the Map.

(d) AVAILABILITY OF MAP.—The Map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(e) ACQUISITION AUTHORITY.—The Secretary may only acquire any land or interest in land located within the boundary of the Monument by—

(1) donation;

(2) purchase from a willing seller with donated or appropriated funds; or

(3) exchange.

(f) ADMINISTRATION.—

(1) IN GENERAL.—The Secretary shall administer the Monument in accordance with—

(A) this section; and

(B) the laws generally applicable to units of the National Park System, including—

(i) section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753, and 102101 of title 54, United States Code; and

(ii) chapter 3201 of title 54, United States Code.

(2) MANAGEMENT PLAN.—

(A) IN GENERAL.—Not later than 3 years after the date on which funds are first made available to the Secretary for this purpose, the Secretary shall prepare a general management plan for the Monument in accordance with section 100502 of title 54, United States Code.

(B) SUBMISSION.—On completion of the general management plan under subparagraph (A), the Secretary shall submit it to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

(g) AGREEMENTS.—

(1) MONUMENT.—The Secretary—

(A) shall seek to enter into an agreement with the College to provide interpretive and educational services relating to the Monument; and

(B) may enter into agreements with the College and other entities for the purposes of carrying out this section.

(2) HISTORIC DISTRICT.—The Secretary may enter into agreements with the owner of a nationally significant property within the Historic District, to identify, mark, interpret, and provide technical assistance with respect to the preservation and interpretation of the property.

#### SEC. 2302. MILL SPRINGS BATTLEFIELD NATIONAL MONUMENT.

(a) DEFINITIONS.—In this section:

(1) MAP.—The term “Map” means the map entitled “Mill Springs Battlefield National Monument, Nancy, Kentucky”, numbered 297/145513, and dated June 2018.

(2) MONUMENT.—The term “Monument” means the Mill Springs Battlefield National Monument established by subsection (b)(1).

(3) SECRETARY.—The term “Secretary” means the Secretary, acting through the Director of the National Park Service.

(b) ESTABLISHMENT.—

(1) IN GENERAL.—Subject to paragraph (2), there is established as a unit of the National Park System, the Mill Springs Battlefield National Monument in the State of Kentucky, to preserve, protect, and interpret for the benefit of present and future generations—

(A) the nationally significant historic resources of the Mill Springs Battlefield; and

(B) the role of the Mill Springs Battlefield in the Civil War.

(2) DETERMINATION BY THE SECRETARY.—The Monument shall not be established until the date on which the Secretary determines that a sufficient quantity of land or interests in land has been acquired to constitute a manageable park unit.

(3) NOTICE.—Not later than 30 days after the date on which the Secretary makes a determination under paragraph (2), the Secretary shall publish in the Federal Register notice of the establishment of the Monument.

(4) BOUNDARY.—The boundary of the Monument shall be as generally depicted on the Map.

(5) AVAILABILITY OF MAP.—The Map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(6) ACQUISITION AUTHORITY.—The Secretary may only acquire land or an interest in land located within the boundary of the Monument by—

(A) donation;

(B) purchase from a willing seller with donated or appropriated funds; or

(C) exchange.

(c) ADMINISTRATION.—

(1) IN GENERAL.—The Secretary shall administer the Monument in accordance with—

(A) this section; and

(B) the laws generally applicable to units of the National Park System, including—

(i) section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753, and 102101 of title 54, United States Code; and

(ii) chapter 3201 of title 54, United States Code.

(2) MANAGEMENT PLAN.—

(A) IN GENERAL.—Not later than 3 years after the date on which funds are first made available to prepare a general management plan for the Monument, the Secretary shall prepare the general management plan in accordance with section 100502 of title 54, United States Code.

(B) SUBMISSION TO CONGRESS.—On completion of the general management plan, the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate the general management plan.

(d) PRIVATE PROPERTY PROTECTION.—Nothing in this section affects the land use rights of private property owners within or adjacent to the Monument.

(e) NO BUFFER ZONES.—

(1) IN GENERAL.—Nothing in this section creates a protective perimeter or buffer zone around the Monument.

(2) ACTIVITIES OUTSIDE NATIONAL MONUMENT.—The fact that an activity or use on land outside the Monument can be seen or heard within the Monument shall not preclude the activity or use outside the boundary of the Monument.

#### SEC. 2303. CAMP NELSON HERITAGE NATIONAL MONUMENT.

(a) DEFINITIONS.—In this section:

(1) MAP.—The term “Map” means the map entitled “Camp Nelson Heritage National Monument Nicholasville, Kentucky”, numbered 532/144,148, and dated April 2018.

(2) MONUMENT.—The term “Monument” means the Camp Nelson Heritage National Monument established by subsection (b)(1).

(3) SECRETARY.—The term “Secretary” means the Secretary, acting through the Director of the National Park Service.

(b) ESTABLISHMENT.—

(1) IN GENERAL.—Subject to paragraph (2), there is established, as a unit of the National Park System, the Camp Nelson Heritage National Monument in the State of Kentucky, to preserve, protect, and interpret for the benefit of present and future generations, the nationally significant historic resources of Camp Nelson and the role of Camp Nelson in the American Civil War, Reconstruction, and African American history and civil rights.

(2) CONDITIONS.—The Monument shall not be established until after the Secretary—

(A) has entered into a written agreement with the owner of any private or non-Federal land within the boundary of the Monument, as depicted on the Map, providing that the property shall be donated to the United States for inclusion in the Monument, to be managed consistently with the purposes of the Monument; and

(B) has determined that sufficient land or interests in land have been acquired within the boundary of the Monument to constitute a manageable unit.

(c) BOUNDARIES.—The boundaries of the Monument shall be the boundaries generally depicted on the Map.

(d) AVAILABILITY OF MAP.—The Map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(e) ACQUISITION AUTHORITY.—The Secretary may only acquire any land or interest in

land located within the boundary of the Monument by donation, purchase with donated or appropriated funds, or exchange.

(f) ADMINISTRATION.—

(1) IN GENERAL.—The Secretary shall administer the Monument in accordance with—

(A) this section;

(B) Presidential Proclamation 9811 (83 Fed. Reg. 54845 (October 31, 2018)); and

(C) the laws generally applicable to units of the National Park System, including—

(i) section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753, and 102101 of title 54, United States Code; and

(ii) chapter 3201 of title 54, United States Code.

(2) MANAGEMENT PLAN.—

(A) IN GENERAL.—Not later than 3 years after the date on which funds are first made available to the Secretary for the preparation of a general management plan for the Monument, the Secretary shall prepare a general management plan for the Monument in accordance with section 100502 of title 54, United States Code.

(B) SUBMISSION TO CONGRESS.—On completion of the general management plan, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives the general management plan.

(g) NO BUFFER ZONES.—

(1) IN GENERAL.—Nothing in this section creates a protective perimeter or buffer zone around the Monument.

(2) ACTIVITIES OUTSIDE NATIONAL MONUMENT.—The fact that an activity or use on land outside the Monument can be seen or heard within the Monument shall not preclude the activity or use outside the boundary of the Monument.

(h) CONFLICTS.—If there is conflict between this section and Proclamation 9811 (83 Fed. Reg. 54845; October 31, 2018), this section shall control.

**Subtitle E—National Park System Management**

**SEC. 2401. DENALI NATIONAL PARK AND PRESERVE NATURAL GAS PIPELINE.**

(a) PERMIT.—Section 3(b)(1) of the Denali National Park Improvement Act (Public Law 113-33; 127 Stat. 516) is amended by striking “within, along, or near the approximately 7-mile segment of the George Parks Highway that runs through the Park”.

(b) TERMS AND CONDITIONS.—Section 3(c)(1) of the Denali National Park Improvement Act (Public Law 113-33; 127 Stat. 516) is amended—

(1) in subparagraph (A), by inserting “and” after the semicolon;

(2) by striking subparagraph (B); and

(3) by redesignating subparagraph (C) as subparagraph (B).

(c) APPLICABLE LAW.—Section 3 of the Denali National Park Improvement Act (Public Law 113-33; 127 Stat. 515) is amended by adding at the end the following:

“(d) APPLICABLE LAW.—A high pressure gas transmission pipeline (including appurtenances) in a nonwilderness area within the boundary of the Park, shall not be subject to title XI of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3161 et seq.).”

**SEC. 2402. HISTORICALLY BLACK COLLEGES AND UNIVERSITIES HISTORIC PRESERVATION PROGRAM REAUTHORIZED.**

Section 507(d)(2) of the Omnibus Parks and Public Lands Management Act of 1996 (54 U.S.C. 302101 note) is amended by striking the period at the end and inserting “and each of fiscal years 2018 through 2024.”.

**SEC. 2403. AUTHORIZING COOPERATIVE MANAGEMENT AGREEMENTS BETWEEN THE DISTRICT OF COLUMBIA AND THE SECRETARY OF THE INTERIOR.**

The Secretary may enter into a cooperative management agreement with the District of Columbia in accordance with section 101703 of title 54, United States Code.

**SEC. 2404. FEES FOR MEDICAL SERVICES.**

(a) FEES AUTHORIZED.—The Secretary may establish and collect fees for medical services provided to persons in units of the National Park System or for medical services provided by National Park Service personnel outside units of the National Park System.

(b) NATIONAL PARK MEDICAL SERVICES FUND.—There is established in the Treasury a fund, to be known as the “National Park Medical Services Fund” (referred to in this section as the “Fund”). The Fund shall consist of—

(1) donations to the Fund; and

(2) fees collected under subsection (a).

(c) AVAILABILITY OF AMOUNTS.—All amounts deposited into the Fund shall be available to the Secretary, to the extent provided in advance by Acts of appropriation, for the following in units of the National Park System:

(1) Services listed in subsection (a).

(2) Preparing needs assessments or other programmatic analyses for medical facilities, equipment, vehicles, and other needs and costs of providing services listed in subsection (a).

(3) Developing management plans for medical facilities, equipment, vehicles, and other needs and costs of services listed in subsection (a).

(4) Training related to providing services listed in subsection (a).

(5) Obtaining or improving medical facilities, equipment, vehicles, and other needs and costs of providing services listed in subsection (a).

**SEC. 2405. AUTHORITY TO GRANT EASEMENTS AND RIGHTS-OF-WAY OVER FEDERAL LANDS WITHIN GATEWAY NATIONAL RECREATION AREA.**

Section 3 of Public Law 92-592 (16 U.S.C. 460cc-2) is amended by adding at the end the following:

“(j) AUTHORITY TO GRANT EASEMENTS AND RIGHTS-OF-WAY.—

“(1) IN GENERAL.—The Secretary of the Interior may grant, to any State or local government, an easement or right-of-way over Federal lands within Gateway National Recreation Area for construction, operation, and maintenance of projects for control and prevention of flooding and shoreline erosion.

“(2) CHARGES AND REIMBURSEMENT OF COSTS.—The Secretary may grant such an easement or right-of-way without charge for the value of the right so conveyed, except for reimbursement of costs incurred by the United States for processing the application therefore and managing such right. Amounts received as such reimbursement shall be credited to the relevant appropriation account.”.

**SEC. 2406. ADAMS MEMORIAL COMMISSION.**

(a) COMMISSION.—There is established a commission to be known as the “Adams Memorial Commission” (referred to in this section as the “Commission”) for the purpose of establishing a permanent memorial to honor John Adams and his legacy as authorized by Public Law 107-62 (115 Stat. 411), located in the city of Washington, District of Columbia, including sites authorized by Public Law 107-315 (116 Stat. 2763).

(b) MEMBERSHIP.—The Commission shall be composed of—

(1) 4 persons appointed by the President, not more than 2 of whom may be members of the same political party;

(2) 4 Members of the Senate appointed by the President pro tempore of the Senate in

consultation with the Majority Leader and Minority Leader of the Senate, of which not more than 2 appointees may be members of the same political party; and

(3) 4 Members of the House of Representatives appointed by the Speaker of the House of Representatives in consultation with the Majority Leader and Minority Leader of the House of Representatives, of which not more than 2 appointees may be members of the same political party.

(c) CHAIR AND VICE CHAIR.—The members of the Commission shall select a Chair and Vice Chair of the Commission. The Chair and Vice Chair shall not be members of the same political party.

(d) VACANCIES.—Any vacancy in the Commission shall not affect its powers if a quorum is present, but shall be filled in the same manner as the original appointment.

(e) MEETINGS.—

(1) INITIAL MEETING.—Not later than 45 days after the date on which a majority of the members of the Commission have been appointed, the Commission shall hold its first meeting.

(2) SUBSEQUENT MEETINGS.—The Commission shall meet at the call of the Chair.

(f) QUORUM.—A majority of the members of the Commission shall constitute a quorum but a lesser number of members may hold hearings.

(g) NO COMPENSATION.—A member of the Commission shall serve without compensation, but may be reimbursed for expenses incurred in carrying out the duties of the Commission.

(h) DUTIES.—The Commission shall consider and formulate plans for a permanent memorial to honor John Adams and his legacy, including the nature, location, design, and construction of the memorial.

(i) POWERS.—The Commission may—

(1) make such expenditures for services and materials for the purpose of carrying out this section as the Commission considers advisable from funds appropriated or received as gifts for that purpose;

(2) accept gifts, including funds from the Adams Memorial Foundation, to be used in carrying out this section or to be used in connection with the construction or other expenses of the memorial; and

(3) hold hearings, enter into contracts for personal services and otherwise, and do such other things as are necessary to carry out this section.

(j) REPORTS.—The Commission shall—

(1) report the plans required by subsection (h), together with recommendations, to the President and the Congress at the earliest practicable date; and

(2) in the interim, make annual reports on its progress to the President and the Congress.

(k) APPLICABILITY OF OTHER LAWS.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission.

(l) TERMINATION.—The Commission shall terminate on December 2, 2025.

(m) AMENDMENTS TO PUBLIC LAW 107-62.—

(1) REFERENCES TO COMMISSION.—Public Law 107-62 (115 Stat. 411) is amended by striking “Adams Memorial Foundation” each place it occurs and inserting “Adams Memorial Commission”.

(2) EXTENSION OF AUTHORIZATION.—Section 1(c) of Public Law 107-62 (115 Stat. 411; 124 Stat. 1192; 127 Stat. 3880) is amended by striking “2020” and inserting “2025”.

**SEC. 2407. TECHNICAL CORRECTIONS TO REFERENCES TO THE AFRICAN AMERICAN CIVIL RIGHTS NETWORK.**

(a) CHAPTER AMENDMENTS.—Chapter 3084 of title 54, United States Code, is amended by striking “U.S. Civil Rights Network” each place it appears and inserting “African American Civil Rights Network” (using identical font as used in the text being replaced).

(b) AMENDMENTS TO LIST OF ITEMS.—The list of items of title 54, United States Code, is amended by striking “U.S. Civil Rights Network” each place it appears and inserting “African American Civil Rights Network” (using identical font as used in the text being replaced).

(c) REFERENCES.—Any reference in any law (other than in this section), regulation, document, record, map, or other paper of the United States to the “U.S. Civil Rights Network” shall be considered to be a reference to the “African American Civil Rights Network”.

**SEC. 2408. TRANSFER OF THE JAMES J. HOWARD MARINE SCIENCES LABORATORY.**

Section 7 of Public Law 100-515 (16 U.S.C. 1244 note) is amended by striking subsection (b) and inserting the following:

“(b) TRANSFER FROM THE STATE TO THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.—

“(1) IN GENERAL.—Notwithstanding any other provision of law, or the provisions of the August 13, 1991, Ground Lease Agreement (‘Lease’) between the Department of the Interior and the State of New Jersey (‘State’), upon notice to the National Park Service, the State may transfer without consideration, and the National Oceanic and Atmospheric Administration may accept, all State improvements within the land assignment and right of way, including the James J. Howard Marine Sciences Laboratory (‘Laboratory’), two parking lots, and the seawater supply and backflow pipes as generally depicted on the map entitled ‘Gateway National Recreation Area, James J. Howard Marine Science Laboratory Land Assignment’, numbered 646/142,581A, and dated April 2018 (‘Map’) and any related State personal property.

“(2) LEASE AMENDMENT.—Upon the transfer authorized in paragraph (1), the Lease shall be amended to exclude any obligations of the State and the Department of the Interior related to the Laboratory and associated property and improvements transferred to the National Oceanic and Atmospheric Administration. However, all obligations of the State to rehabilitate Building 74 and modify landscaping on the surrounding property as depicted on the Map, under the Lease and pursuant to subsection (a), shall remain in full force and effect.

“(3) USE BY THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.—Upon the transfer authorized in paragraph (1), the Administrator of the National Oceanic and Atmospheric Administration is authorized to use the land generally depicted on the Map as a land assignment and right of way and associated land and appurtenances for continued use of the Laboratory, including providing maintenance and repair, and access to the Laboratory, the parking lots and the seawater supply and back flow pipes, without consideration, except for reimbursement to the National Park Service of agreed upon reasonable actual costs of subsequently provided goods and services.

“(4) AGREEMENT BETWEEN THE NATIONAL PARK SERVICE AND THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.—Upon the transfer authorized in paragraph (1), the Director of the National Park Service and the Administrator of the National Oceanic and Atmospheric Administration shall enter into an agreement addressing responsibilities pertaining to the use of the land assignment within the Sandy Hook Unit of the Gateway National Recreation Area as authorized in paragraph (3). The agreement shall prohibit any new construction on this land, permanent or nonpermanent, or significant alteration to the exterior of the Laboratory, without National Park Service approval.

“(5) RESTORATION.—

“(A) Notwithstanding any provision of the Lease to the contrary, if the State does not transfer the improvements as authorized in paragraph (1), and these improvements are not used as or in support of a marine science laboratory, the State shall demolish and remove the improvements and restore the land in accordance with the standards set forth by the National Park Service, free of unacceptable encumbrances and in compliance with all applicable laws and regulations regarding known contaminants.

“(B) If the National Oceanic and Atmospheric Administration accepts the improvements as authorized in paragraph (1) and these improvements are not used as or in support of a marine science laboratory, the National Oceanic and Atmospheric Administration shall be responsible for demolishing and removing these improvements and restoring the land, in accordance with the standards set forth by the National Park Service, free of unacceptable encumbrances and in compliance with all applicable laws and regulations regarding known contaminants.”.

**SEC. 2409. BOWS IN PARKS.**

(a) IN GENERAL.—Chapter 1049 of title 54, United States Code, is amended by adding at the end the following:

**“§ 104908. Bows in parks**

“(a) DEFINITION OF NOT READY FOR IMMEDIATE USE.—The term ‘not ready for immediate use’ means—

“(1) a bow or crossbow, the arrows of which are secured or stowed in a quiver or other arrow transport case; and

“(2) with respect to a crossbow, uncocked.

“(b) VEHICULAR TRANSPORTATION AUTHORIZED.—The Director shall not promulgate or enforce any regulation that prohibits an individual from transporting bows and crossbows that are not ready for immediate use across any System unit in the vehicle of the individual if—

“(1) the individual is not otherwise prohibited by law from possessing the bows and crossbows;

“(2) the bows or crossbows that are not ready for immediate use remain inside the vehicle of the individual throughout the period during which the bows or crossbows are transported across System land; and

“(3) the possession of the bows and crossbows is in compliance with the law of the State in which the System unit is located.”.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 1049 of title 54, United States Code, is amended by inserting after the item relating to section 104907 the following:

“104908. Bows in parks.”.

**SEC. 2410. WILDLIFE MANAGEMENT IN PARKS.**

(a) IN GENERAL.—Chapter 1049 of title 54, United States Code (as amended by section 2409(a)), is amended by adding at the end the following:

**“§ 104909. Wildlife management in parks**

“(a) USE OF QUALIFIED VOLUNTEERS.—If the Secretary determines it is necessary to reduce the size of a wildlife population on System land in accordance with applicable law (including regulations), the Secretary may use qualified volunteers to assist in carrying out wildlife management on System land.

“(b) REQUIREMENTS FOR QUALIFIED VOLUNTEERS.—Qualified volunteers providing assistance under subsection (a) shall be subject to—

“(1) any training requirements or qualifications established by the Secretary; and

“(2) any other terms and conditions that the Secretary may require.

“(c) DONATIONS.—The Secretary may authorize the donation and distribution of meat from wildlife management activities

carried out under this section, including the donation and distribution to Indian Tribes, qualified volunteers, food banks, and other organizations that work to address hunger, in accordance with applicable health guidelines and such terms and conditions as the Secretary may require.”.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 1049 of title 54 (as amended by section 2409(b)), United States Code, is amended by inserting after the item relating to section 104908 the following:

“104909. Wildlife management in parks.”.

**SEC. 2411. POTTAWATTAMIE COUNTY REVERSIONARY INTEREST.**

Section 2 of Public Law 101-191 (103 Stat. 1697) is amended by adding at the end the following:

“(g) CONVEYANCE OF REVERSIONARY INTEREST.—

“(1) IN GENERAL.—If the Secretary determines that it is no longer in the public interest to operate and maintain the center, subject to paragraph (2), the Secretary may enter into 1 or more agreements—

“(A) to convey the reversionary interest held by the United States and described in the quitclaim deed dated April 13, 1998, instrument number 19170, and as recorded in book 98, page 55015, in Pottawattamie County, Iowa (referred to in this subsection as the ‘deed’); and

“(B) to extinguish the requirement in the deed that alterations to structures on the property may not be made without the authorization of the Secretary.

“(2) CONSIDERATION.—A reversionary interest may be conveyed under paragraph (1)(A)—

“(A) without consideration, if the land subject to the reversionary interest is required to be used in perpetuity for public recreational, educational, or similar purposes; or

“(B) for consideration in an amount equal to the fair market value of the reversionary interest, as determined based on an appraisal that is conducted in accordance with—

“(i) the Uniform Appraisal Standards for Federal Land Acquisitions; and

“(ii) the Uniform Standards of Professional Appraisal Practice.

“(3) EXECUTION OF AGREEMENTS.—The Secretary shall execute appropriate instruments to carry out an agreement entered into under paragraph (1).

“(4) EFFECT ON PRIOR AGREEMENT.—Effective on the date on which the Secretary has executed instruments under paragraph (3) and all Federal interests in the land and properties acquired under this Act have been conveyed, the agreement between the National Park Service and the State Historical Society of Iowa, dated July 21, 1995, and entered into under subsection (d), shall have no force or effect.”.

**SEC. 2412. DESIGNATION OF DEAN STONE BRIDGE.**

(a) DESIGNATION.—The bridge located in Blount County, Tennessee, on the Foothills Parkway (commonly known as “Bridge 2”) shall be known and designated as the “Dean Stone Bridge”.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the bridge referred to in subsection (a) shall be deemed to be a reference to the “Dean Stone Bridge”.

**Subtitle F—National Trails and Related Matters**

**SEC. 2501. NORTH COUNTRY SCENIC TRAIL ROUTE ADJUSTMENT.**

Section 5(a)(8) of the National Trails System Act (16 U.S.C. 1244(a)(8)) is amended in the first sentence—

(1) by striking “thirty two hundred miles, extending from eastern New York State” and

inserting “4,600 miles, extending from the Appalachian Trail in Vermont”; and

(2) by striking “Proposed North Country Trail” and all that follows through “June 1975,” and inserting “North Country National Scenic Trail, Authorized Route”, dated February 2014, and numbered 649/116870.”.

#### SEC. 2502. EXTENSION OF LEWIS AND CLARK NATIONAL HISTORIC TRAIL.

(a) EXTENSION.—Section 5(a)(6) of the National Trails System Act (16 U.S.C. 1244(a)(6)) is amended—

(1) by striking “three thousand seven hundred” and inserting “4,900”;

(2) by striking “Wood River, Illinois,” and inserting “the Ohio River in Pittsburgh, Pennsylvania.”; and

(3) by striking “maps identified as, ‘Vicinity Map, Lewis and Clark Trail’ study report dated April 1977.” and inserting “the map entitled ‘Lewis and Clark National Historic Trail Authorized Trail Including Proposed Eastern Legacy Extension’, dated April 2018, and numbered 648/143721.”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date that is 60 days after the date of enactment of this Act.

#### SEC. 2503. AMERICAN DISCOVERY TRAIL SIGNAGE.

(a) DEFINITIONS.—In this section:

(1) SECRETARY CONCERNED.—The term “Secretary concerned” means—

(A) the Secretary, with respect to Federal land under the jurisdiction of the Secretary; or

(B) the Secretary of Agriculture, with respect to Federal land under the jurisdiction of the Secretary of Agriculture.

(2) TRAIL.—The term “Trail” means the trail known as the “American Discovery Trail”, which consists of approximately 6,800 miles of trails extending from Cape Henlopen State Park in Delaware to Point Reyes National Seashore in California, as generally described in volume 2 of the National Park Service feasibility study dated June 1995.

(b) SIGNAGE AUTHORIZED.—As soon as practicable after the date on which signage acceptable to the Secretary concerned is donated to the United States for placement on Federal land at points along the Trail, the Secretary concerned shall place the signage on the Federal land.

(c) NO FEDERAL FUNDS.—No Federal funds may be used to acquire signage authorized for placement under subsection (b).

#### SEC. 2504. PIKE NATIONAL HISTORIC TRAIL STUDY.

Section 5(c) of the National Trails System Act (16 U.S.C. 1244(c)) is amended by adding at the end the following:

“(46) PIKE NATIONAL HISTORIC TRAIL.—The Pike National Historic Trail, a series of routes extending approximately 3,664 miles, which follows the route taken by Lt. Zebulon Montgomery Pike during the 1806–1807 Pike expedition that began in Fort Bellefontaine, Missouri, extended through portions of the States of Kansas, Nebraska, Colorado, New Mexico, and Texas, and ended in Natchitoches, Louisiana.”.

### TITLE III—CONSERVATION AUTHORIZATIONS

#### SEC. 3001. REAUTHORIZATION OF LAND AND WATER CONSERVATION FUND.

(a) IN GENERAL.—Section 200302 of title 54, United States Code, is amended—

(1) in subsection (b), in the matter preceding paragraph (1), by striking “During the period ending September 30, 2018, there” and inserting “There”; and

(2) in subsection (c)(1), by striking “through September 30, 2018”.

(b) ALLOCATION OF FUNDS.—Section 200304 of title 54, United States Code, is amended—

(1) by striking the second sentence;

(2) by striking “There” and inserting the following:

“(a) IN GENERAL.—There”; and

(3) by adding at the end the following:

“(b) ALLOCATION OF FUNDS.—Of the total amount made available to the Fund through appropriations or deposited in the Fund under section 105(a)(2)(B) of the Gulf of Mexico Energy Security Act of 2006 (43 U.S.C. 1331 note; Public Law 109–432)—

“(1) not less than 40 percent shall be used for Federal purposes; and

“(2) not less than 40 percent shall be used to provide financial assistance to States.”.

(c) PARITY FOR TERRITORIES AND THE DISTRICT OF COLUMBIA.—Section 200305(b) of title 54, United States Code, is amended by striking paragraph (5).

(d) RECREATIONAL PUBLIC ACCESS.—Section 200306 of title 54, United States Code, is amended by adding at the end the following:

“(c) RECREATIONAL PUBLIC ACCESS.—

“(1) IN GENERAL.—Of the amounts made available for expenditure in any fiscal year under section 200303, there shall be made available for recreational public access projects identified on the priority list developed under paragraph (2) not less than the greater of—

“(A) an amount equal to 3 percent of those amounts; or

“(B) \$15,000,000.

“(2) PRIORITY LIST.—The Secretary and the Secretary of Agriculture, in consultation with the head of each affected Federal agency, shall annually develop a priority list for projects that, through acquisition of land (or an interest in land), secure recreational public access to Federal land under the jurisdiction of the applicable Secretary for hunting, fishing, recreational shooting, or other outdoor recreational purposes.”.

(e) ACQUISITION CONSIDERATIONS.—Section 200306 of title 54, United States Code (as amended by subsection (d)), is amended by adding at the end the following:

“(d) ACQUISITION CONSIDERATIONS.—In determining whether to acquire land (or an interest in land) under this section, the Secretary and the Secretary of Agriculture shall take into account—

“(1) the significance of the acquisition;

“(2) the urgency of the acquisition;

“(3) management efficiencies;

“(4) management cost savings;

“(5) geographic distribution;

“(6) threats to the integrity of the land; and

“(7) the recreational value of the land.”.

#### SEC. 3002. CONSERVATION INCENTIVES LANDOWNER EDUCATION PROGRAM.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall establish a conservation incentives landowner education program (referred to in this section as the “program”).

(b) PURPOSE OF PROGRAM.—The program shall provide information on Federal conservation programs available to landowners interested in undertaking conservation actions on the land of the landowners, including options under each conservation program available to achieve the conservation goals of the program, such as—

(1) fee title land acquisition;

(2) donation; and

(3) perpetual and term conservation easements or agreements.

(c) AVAILABILITY.—The Secretary shall ensure that the information provided under the program is made available to—

(1) interested landowners; and

(2) the public.

(d) NOTIFICATION.—In any case in which the Secretary contacts a landowner directly about participation in a Federal conservation program, the Secretary shall, in writing—

(1) notify the landowner of the program; and

(2) make available information on the conservation program options that may be available to the landowner.

### TITLE IV—SPORTSMEN'S ACCESS AND RELATED MATTERS

#### Subtitle A—National Policy

#### SEC. 4001. CONGRESSIONAL DECLARATION OF NATIONAL POLICY.

(a) IN GENERAL.—Congress declares that it is the policy of the United States that Federal departments and agencies, in accordance with the missions of the departments and agencies, Executive Orders 12962 and 13443 (60 Fed. Reg. 30769 (June 7, 1995); 72 Fed. Reg. 46537 (August 16, 2007)), and applicable law, shall—

(1) facilitate the expansion and enhancement of hunting, fishing, and recreational shooting opportunities on Federal land, in consultation with the Wildlife and Hunting Heritage Conservation Council, the Sport Fishing and Boating Partnership Council, State and Tribal fish and wildlife agencies, and the public;

(2) conserve and enhance aquatic systems and the management of game species and the habitat of those species on Federal land, including through hunting and fishing, in a manner that respects—

(A) State management authority over wildlife resources; and

(B) private property rights; and

(3) consider hunting, fishing, and recreational shooting opportunities as part of all Federal plans for land, resource, and travel management.

(b) EXCLUSION.—In this title, the term “fishing” does not include commercial fishing in which fish are harvested, either in whole or in part, that are intended to enter commerce through sale.

#### Subtitle B—Sportsmen's Access to Federal Land

#### SEC. 4101. DEFINITIONS.

In this subtitle:

(1) FEDERAL LAND.—The term “Federal land” means—

(A) any land in the National Forest System (as defined in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a))) that is administered by the Secretary of Agriculture, acting through the Chief of the Forest Service; and

(B) public lands (as defined in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702)), the surface of which is administered by the Secretary, acting through the Director of the Bureau of Land Management.

(2) SECRETARY CONCERNED.—The term “Secretary concerned” means—

(A) the Secretary of Agriculture, with respect to land described in paragraph (1)(A); and

(B) the Secretary, with respect to land described in paragraph (1)(B).

#### SEC. 4102. FEDERAL LAND OPEN TO HUNTING, FISHING, AND RECREATIONAL SHOOTING.

(a) IN GENERAL.—Subject to subsection (b), Federal land shall be open to hunting, fishing, and recreational shooting, in accordance with applicable law, unless the Secretary concerned closes an area in accordance with section 4103.

(b) EFFECT OF PART.—Nothing in this subtitle opens to hunting, fishing, or recreational shooting any land that is not open to those activities as of the date of enactment of this Act.

#### SEC. 4103. CLOSURE OF FEDERAL LAND TO HUNTING, FISHING, AND RECREATIONAL SHOOTING.

(a) AUTHORIZATION.—

(1) IN GENERAL.—Subject to paragraph (2) and in accordance with section 302(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1732(b)), the Secretary concerned may designate any area on Federal land in which, and establish any period during which, for reasons of public safety, administration, or compliance with applicable laws, no hunting, fishing, or recreational shooting shall be permitted.

(2) REQUIREMENT.—In making a designation under paragraph (1), the Secretary concerned shall designate the smallest area for the least amount of time that is required for public safety, administration, or compliance with applicable laws.

(b) CLOSURE PROCEDURES.—

(1) IN GENERAL.—Except in an emergency, before permanently or temporarily closing any Federal land to hunting, fishing, or recreational shooting, the Secretary concerned shall—

(A) consult with State fish and wildlife agencies; and

(B) provide public notice and opportunity for comment under paragraph (2).

(2) PUBLIC NOTICE AND COMMENT.—

(A) IN GENERAL.—Public notice and comment shall include—

(i) a notice of intent—

(I) published in advance of the public comment period for the closure—

(aa) in the Federal Register;

(bb) on the website of the applicable Federal agency;

(cc) on the website of the Federal land unit, if available; and

(dd) in at least 1 local newspaper;

(II) made available in advance of the public comment period to local offices, chapters, and affiliate organizations in the vicinity of the closure that are signatories to the memorandum of understanding entitled “Federal Lands Hunting, Fishing, and Shooting Sports Roundtable Memorandum of Understanding”; and

(III) that describes—

(aa) the proposed closure; and

(bb) the justification for the proposed closure, including an explanation of the reasons and necessity for the decision to close the area to hunting, fishing, or recreational shooting; and

(ii) an opportunity for public comment for a period of—

(I) not less than 60 days for a permanent closure; or

(II) not less than 30 days for a temporary closure.

(B) FINAL DECISION.—In a final decision to permanently or temporarily close an area to hunting, fishing, or recreation shooting, the Secretary concerned shall—

(i) respond in a reasoned manner to the comments received;

(ii) explain how the Secretary concerned resolved any significant issues raised by the comments; and

(iii) show how the resolution led to the closure.

(c) TEMPORARY CLOSURES.—

(1) IN GENERAL.—A temporary closure under this section may not exceed a period of 180 days.

(2) RENEWAL.—Except in an emergency, a temporary closure for the same area of land closed to the same activities—

(A) may not be renewed more than 3 times after the first temporary closure; and

(B) must be subject to a separate notice and comment procedure in accordance with subsection (b)(2).

(3) EFFECT OF TEMPORARY CLOSURE.—Any Federal land that is temporarily closed to hunting, fishing, or recreational shooting under this section shall not become permanently closed to that activity without a sep-

arate public notice and opportunity to comment in accordance with subsection (b)(2).

(d) REPORTING.—On an annual basis, the Secretaries concerned shall—

(1) publish on a public website a list of all areas of Federal land temporarily or permanently subject to a closure under this section; and

(2) submit to the Committee on Energy and Natural Resources and the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Natural Resources and the Committee on Agriculture of the House of Representatives a report that identifies—

(A) a list of each area of Federal land temporarily or permanently subject to a closure;

(B) the acreage of each closure; and

(C) a survey of—

(i) the aggregate areas and acreage closed under this section in each State; and

(ii) the percentage of Federal land in each State closed under this section with respect to hunting, fishing, and recreational shooting.

(e) APPLICATION.—This section shall not apply if the closure is—

(1) less than 14 days in duration; and

(2) covered by a special use permit.

**SEC. 4104. SHOOTING RANGES.**

(a) IN GENERAL.—Except as provided in subsection (b), the Secretary concerned may, in accordance with this section and other applicable law, lease or permit the use of Federal land for a shooting range.

(b) EXCEPTION.—The Secretary concerned shall not lease or permit the use of Federal land for a shooting range within—

(1) a component of the National Landscape Conservation System;

(2) a component of the National Wilderness Preservation System;

(3) any area that is—

(A) designated as a wilderness study area;

(B) administratively classified as—

(i) wilderness-eligible; or

(ii) wilderness-suitable; or

(C) a primitive or semiprimitive area;

(4) a national monument, national volcanic monument, or national scenic area; or

(5) a component of the National Wild and Scenic Rivers System (including areas designated for study for potential addition to the National Wild and Scenic Rivers System).

**SEC. 4105. IDENTIFYING OPPORTUNITIES FOR RECREATION, HUNTING, AND FISHING ON FEDERAL LAND.**

(a) DEFINITIONS.—In this section:

(1) SECRETARY.—The term “Secretary” means—

(A) the Secretary, with respect to land administered by—

(i) the Director of the National Park Service;

(ii) the Director of the United States Fish and Wildlife Service; and

(iii) the Director of the Bureau of Land Management; and

(B) the Secretary of Agriculture, with respect to land administered by the Chief of the Forest Service.

(2) STATE OR REGIONAL OFFICE.—The term “State or regional office” means—

(A) a State office of the Bureau of Land Management; or

(B) a regional office of—

(i) the National Park Service;

(ii) the United States Fish and Wildlife Service; or

(iii) the Forest Service.

(3) TRAVEL MANAGEMENT PLAN.—The term “travel management plan” means a plan for the management of travel—

(A) with respect to land under the jurisdiction of the National Park Service, on park roads and designated routes under section

4.10 of title 36, Code of Federal Regulations (or successor regulations);

(B) with respect to land under the jurisdiction of the United States Fish and Wildlife Service, on the land under a comprehensive conservation plan prepared under section 4(e) of the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd(e));

(C) with respect to land under the jurisdiction of the Forest Service, on National Forest System land under part 212 of title 36, Code of Federal Regulations (or successor regulations); and

(D) with respect to land under the jurisdiction of the Bureau of Land Management, under a resource management plan developed under the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.).

(b) PRIORITY LISTS REQUIRED.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and biennially thereafter during the 10-year period beginning on the date on which the first priority list is completed, the Secretary shall prepare a priority list, to be made publicly available on the website of the applicable Federal agency referred to in subsection (a)(1), which shall identify the location and acreage of land within the jurisdiction of each State or regional office on which the public is allowed, under Federal or State law, to hunt, fish, or use the land for other recreational purposes but—

(A) to which there is no public access or egress; or

(B) to which public access or egress to the legal boundaries of the land is significantly restricted (as determined by the Secretary).

(2) MINIMUM SIZE.—Any land identified under paragraph (1) shall consist of contiguous acreage of at least 640 acres.

(3) CONSIDERATIONS.—In preparing the priority list required under paragraph (1), the Secretary shall consider, with respect to the land—

(A) whether access is absent or merely restricted, including the extent of the restriction;

(B) the likelihood of resolving the absence of or restriction to public access;

(C) the potential for recreational use;

(D) any information received from the public or other stakeholders during the nomination process described in paragraph (5); and

(E) any other factor, as determined by the Secretary.

(4) ADJACENT LAND STATUS.—For each parcel of land on the priority list, the Secretary shall include in the priority list whether resolving the issue of public access or egress to the land would require acquisition of an easement, right-of-way, or fee title from—

(A) another Federal agency;

(B) a State, local, or Tribal government; or

(C) a private landowner.

(5) NOMINATION PROCESS.—In preparing a priority list under this section, the Secretary shall provide an opportunity for members of the public to nominate parcels for inclusion on the priority list.

(c) ACCESS OPTIONS.—With respect to land included on a priority list described in subsection (b), the Secretary shall develop and submit to the Committees on Appropriations and Energy and Natural Resources of the Senate and the Committees on Appropriations and Natural Resources of the House of Representatives a report on options for providing access that—

(1) identifies how public access and egress could reasonably be provided to the legal boundaries of the land in a manner that minimizes the impact on wildlife habitat and water quality;



(2) specifies the steps recommended to secure the access and egress, including acquiring an easement, right-of-way, or fee title from a willing owner of any land that abuts the land or the need to coordinate with State land management agencies or other Federal, State, or Tribal governments to allow for such access and egress; and

(3) is consistent with the travel management plan in effect on the land.

(d) PROTECTION OF PERSONALLY IDENTIFYING INFORMATION.—In making the priority list and report prepared under subsections (b) and (c) available, the Secretary shall ensure that no personally identifying information is included, such as names or addresses of individuals or entities.

(e) WILLING OWNERS.—For purposes of providing any permits to, or entering into agreements with, a State, local, or Tribal government or private landowner with respect to the use of land under the jurisdiction of the government or landowner, the Secretary shall not take into account whether the State, local, or Tribal government or private landowner has granted or denied public access or egress to the land.

(f) MEANS OF PUBLIC ACCESS AND EGRESS INCLUDED.—In considering public access and egress under subsections (b) and (c), the Secretary shall consider public access and egress to the legal boundaries of the land described in those subsections, including access and egress—

(1) by motorized or non-motorized vehicles; and

(2) on foot or horseback.

(g) EFFECT.—

(1) IN GENERAL.—This section shall have no effect on whether a particular recreational use shall be allowed on the land included in a priority list under this section.

(2) EFFECT OF ALLOWABLE USES ON AGENCY CONSIDERATION.—In preparing the priority list under subsection (b), the Secretary shall only consider recreational uses that are allowed on the land at the time that the priority list is prepared.

#### Subtitle C—Open Book on Equal Access to Justice

##### SEC. 4201. FEDERAL ACTION TRANSPARENCY.

(a) MODIFICATION OF EQUAL ACCESS TO JUSTICE PROVISIONS.—

(1) AGENCY PROCEEDINGS.—Section 504 of title 5, United States Code, is amended—

(A) in subsection (c)(1), by striking “, United States Code”;

(B) by redesignating subsection (f) as subsection (i); and

(C) by striking subsection (e) and inserting the following:

“(e)(1) Not later than March 31 of the first fiscal year beginning after the date of enactment of the Natural Resources Management Act, and every fiscal year thereafter, the Chairman of the Administrative Conference of the United States, after consultation with the Chief Counsel for Advocacy of the Small Business Administration, shall submit to Congress and make publicly available online a report on the amount of fees and other expenses awarded during the preceding fiscal year under this section.

“(2) Each report under paragraph (1) shall describe the number, nature, and amount of the awards, the claims involved in the controversy, and any other relevant information that may aid Congress in evaluating the scope and impact of such awards.

“(3)(A) Each report under paragraph (1) shall account for all payments of fees and other expenses awarded under this section that are made pursuant to a settlement agreement, regardless of whether the settlement agreement is sealed or otherwise subject to a nondisclosure provision.

“(B) The disclosure of fees and other expenses required under subparagraph (A) shall

not affect any other information that is subject to a nondisclosure provision in a settlement agreement.

“(f) As soon as practicable, and in any event not later than the date on which the first report under subsection (e)(1) is required to be submitted, the Chairman of the Administrative Conference of the United States shall create and maintain online a searchable database containing, with respect to each award of fees and other expenses under this section made on or after the date of enactment of the Natural Resources Management Act, the following information:

“(1) The case name and number of the adversary adjudication, if available, hyperlinked to the case, if available.

“(2) The name of the agency involved in the adversary adjudication.

“(3) A description of the claims in the adversary adjudication.

“(4) The name of each party to whom the award was made as such party is identified in the order or other court document making the award.

“(5) The amount of the award.

“(6) The basis for the finding that the position of the agency concerned was not substantially justified.

“(g) The online searchable database described in subsection (f) may not reveal any information the disclosure of which is prohibited by law or a court order.

“(h) The head of each agency shall provide to the Chairman of the Administrative Conference of the United States in a timely manner all information requested by the Chairman to comply with the requirements of subsections (e), (f), and (g).”

(2) COURT CASES.—Section 2412(d) of title 28, United States Code, is amended by adding at the end the following:

“(5)(A) Not later than March 31 of the first fiscal year beginning after the date of enactment of the Natural Resources Management Act, and every fiscal year thereafter, the Chairman of the Administrative Conference of the United States shall submit to Congress and make publicly available online a report on the amount of fees and other expenses awarded during the preceding fiscal year pursuant to this subsection.

“(B) Each report under subparagraph (A) shall describe the number, nature, and amount of the awards, the claims involved in the controversy, and any other relevant information that may aid Congress in evaluating the scope and impact of such awards.

“(C)(i) Each report under subparagraph (A) shall account for all payments of fees and other expenses awarded under this subsection that are made pursuant to a settlement agreement, regardless of whether the settlement agreement is sealed or otherwise subject to a nondisclosure provision.

“(ii) The disclosure of fees and other expenses required under clause (i) shall not affect any other information that is subject to a nondisclosure provision in a settlement agreement.

“(D) The Chairman of the Administrative Conference of the United States shall include and clearly identify in each annual report under subparagraph (A), for each case in which an award of fees and other expenses is included in the report—

“(i) any amounts paid under section 1304 of title 31 for a judgment in the case;

“(ii) the amount of the award of fees and other expenses; and

“(iii) the statute under which the plaintiff filed suit.

“(6) As soon as practicable, and in any event not later than the date on which the first report under paragraph (5)(A) is required to be submitted, the Chairman of the Administrative Conference of the United States shall create and maintain online a

searchable database containing, with respect to each award of fees and other expenses under this subsection made on or after the date of enactment of the Natural Resources Management Act, the following information:

“(A) The case name and number, hyperlinked to the case, if available.

“(B) The name of the agency involved in the case.

“(C) The name of each party to whom the award was made as such party is identified in the order or other court document making the award.

“(D) A description of the claims in the case.

“(E) The amount of the award.

“(F) The basis for the finding that the position of the agency concerned was not substantially justified.

“(7) The online searchable database described in paragraph (6) may not reveal any information the disclosure of which is prohibited by law or a court order.

“(8) The head of each agency (including the Attorney General of the United States) shall provide to the Chairman of the Administrative Conference of the United States in a timely manner all information requested by the Chairman to comply with the requirements of paragraphs (5), (6), and (7).”

(3) TECHNICAL AND CONFORMING AMENDMENTS.—Section 2412 of title 28, United States Code, is amended—

(A) in subsection (d)(3), by striking “United States Code,”; and

(B) in subsection (e)—

(i) by striking “of section 2412 of title 28, United States Code,” and inserting “of this section”; and

(ii) by striking “of such title” and inserting “of this title”.

(b) JUDGMENT FUND TRANSPARENCY.—Section 1304 of title 31, United States Code, is amended by adding at the end the following:

“(d) Beginning not later than the date that is 60 days after the date of enactment of the Natural Resources Management Act, and unless the disclosure of such information is otherwise prohibited by law or a court order, the Secretary of the Treasury shall make available to the public on a website, as soon as practicable, but not later than 30 days after the date on which a payment under this section is tendered, the following information with regard to that payment:

“(1) The name of the specific agency or entity whose actions gave rise to the claim or judgment.

“(2) The name of the plaintiff or claimant.

“(3) The name of counsel for the plaintiff or claimant.

“(4) The amount paid representing principal liability, and any amounts paid representing any ancillary liability, including attorney fees, costs, and interest.

“(5) A brief description of the facts that gave rise to the claim.

“(6) The name of the agency that submitted the claim.”

#### Subtitle D—Migratory Bird Framework and Hunting Opportunities for Veterans

##### SEC. 4301. FEDERAL CLOSING DATE FOR HUNTING OF DUCKS, MERGANSERS, AND COOTS.

Section 3 of the Migratory Bird Treaty Act (16 U.S.C. 704) is amended by adding at the end the following:

“(c) FEDERAL FRAMEWORK CLOSING DATE FOR HUNTING OF DUCKS, MERGANSERS, AND COOTS.—

“(1) REGULATIONS RELATING TO FRAMEWORK CLOSING DATE.—

“(A) IN GENERAL.—In promulgating regulations under subsection (a) relating to the Federal framework for the closing date up to which the States may select seasons for migratory bird hunting, except as provided in

paragraph (2), the Secretary shall, with respect to the hunting season for ducks, mergansers, and coots—

“(i) subject to subparagraph (B), adopt the recommendation of each respective flyway council (as defined in section 20.152 of title 50, Code of Federal Regulations) for the Federal framework if the Secretary determines that the recommendation is consistent with science-based and sustainable harvest management; and

“(ii) allow the States to establish the closing date for the hunting season in accordance with the Federal framework.

“(B) REQUIREMENT.—The framework closing date promulgated by the Secretary under subparagraph (A) shall not be later than January 31 of each year.

“(2) SPECIAL HUNTING DAYS FOR YOUTHS, VETERANS, AND ACTIVE MILITARY PERSONNEL.—

“(A) IN GENERAL.—Notwithstanding the Federal framework closing date under paragraph (1) and subject to subparagraphs (B) and (C), the Secretary shall allow States to select 2 days for youths and 2 days for veterans (as defined in section 101 of title 38, United States Code) and members of the Armed Forces on active duty, including members of the National Guard and Reserves on active duty (other than for training), to hunt eligible ducks, geese, swans, mergansers, coots, moorhens, and gallinules, if the Secretary determines that the addition of those days is consistent with science-based and sustainable harvest management. Such days shall be treated as separate from, and in addition to, the annual Federal framework hunting season lengths.

“(B) REQUIREMENTS.—In selecting days under subparagraph (A), a State shall ensure that—

“(i) the days selected—

“(I) may only include the hunting of duck, geese, swan, merganser, coot, moorhen, and gallinule species that are eligible for hunting under the applicable annual Federal framework;

“(II) are not more than 14 days before or after the Federal framework hunting season for ducks, mergansers, and coots; and

“(III) are otherwise consistent with the Federal framework; and

“(ii) the total number of days in a hunting season for any migratory bird species, including any days selected under subparagraph (A), is not more than 107 days.

“(C) LIMITATION.—A State may combine the 2 days allowed for youths with the 2 days allowed for veterans and members of the Armed Forces on active duty under subparagraph (A), but in no circumstance may a State have more than a total of 4 additional days added to its regular hunting season for any purpose.

“(3) REGULATIONS.—The Secretary shall promulgate regulations in accordance with this subsection for the Federal framework for migratory bird hunting for the 2019–2020 hunting season and each hunting season thereafter.”

#### Subtitle E—Miscellaneous

#### SEC. 4401. RESPECT FOR TREATIES AND RIGHTS.

Nothing in this title or the amendments made by this title—

(1) affects or modifies any treaty or other right of any federally recognized Indian Tribe; or

(2) modifies any provision of Federal law relating to migratory birds or to endangered or threatened species.

#### SEC. 4402. NO PRIORITY.

Nothing in this title or the amendments made by this title provides a preference to hunting, fishing, or recreational shooting over any other use of Federal land or water.

#### SEC. 4403. STATE AUTHORITY FOR FISH AND WILDLIFE.

Nothing in this title—

(1) authorizes the Secretary of Agriculture or the Secretary to require Federal licenses or permits to hunt and fish on Federal land; or

(2) enlarges or diminishes the responsibility or authority of States with respect to fish and wildlife management.

#### TITLE V—HAZARDS AND MAPPING

#### SEC. 5001. NATIONAL VOLCANO EARLY WARNING AND MONITORING SYSTEM.

(a) DEFINITIONS.—In this section:

(1) SECRETARY.—The term “Secretary” means the Secretary, acting through the Director of the United States Geological Survey.

(2) SYSTEM.—The term “System” means the National Volcano Early Warning and Monitoring System established under subsection (b)(1)(A).

(b) NATIONAL VOLCANO EARLY WARNING AND MONITORING SYSTEM.—

(1) ESTABLISHMENT.—

(A) IN GENERAL.—The Secretary shall establish within the United States Geological Survey a system, to be known as the “National Volcano Early Warning and Monitoring System”, to monitor, warn, and protect citizens of the United States from undue and avoidable harm from volcanic activity.

(B) PURPOSES.—The purposes of the System are—

(i) to organize, modernize, standardize, and stabilize the monitoring systems of the volcano observatories in the United States, which includes the Alaska Volcano Observatory, California Volcano Observatory, Cascades Volcano Observatory, Hawaiian Volcano Observatory, and Yellowstone Volcano Observatory; and

(ii) to unify the monitoring systems of volcano observatories in the United States into a single interoperative system.

(C) OBJECTIVE.—The objective of the System is to monitor all the volcanoes in the United States at a level commensurate with the threat posed by the volcanoes by—

(i) upgrading existing networks on monitored volcanoes;

(ii) installing new networks on unmonitored volcanoes; and

(iii) employing geodetic and other components when applicable.

(2) SYSTEM COMPONENTS.—

(A) IN GENERAL.—The System shall include—

(i) a national volcano watch office that is operational 24 hours a day and 7 days a week;

(ii) a national volcano data center; and

(iii) an external grants program to support research in volcano monitoring science and technology.

(B) MODERNIZATION ACTIVITIES.—Modernization activities under the System shall include the comprehensive application of emerging technologies, including digital broadband seismometers, real-time continuous Global Positioning System receivers, satellite and airborne radar interferometry, acoustic pressure sensors, and spectrometry to measure gas emissions.

(3) MANAGEMENT.—

(A) MANAGEMENT PLAN.—

(i) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to Congress a 5-year management plan for establishing and operating the System.

(ii) INCLUSIONS.—The management plan submitted under clause (i) shall include—

(I) annual cost estimates for modernization activities and operation of the System;

(II) annual milestones, standards, and performance goals; and

(III) recommendations for, and progress towards, establishing new, or enhancing existing, partnerships to leverage resources.

(B) ADVISORY COMMITTEE.—The Secretary shall establish an advisory committee to assist the Secretary in implementing the System, to be comprised of representatives of relevant agencies and members of the scientific community, to be appointed by the Secretary.

(C) PARTNERSHIPS.—The Secretary may enter into cooperative agreements with institutions of higher education and State agencies designating the institutions of higher education and State agencies as volcano observatory partners for the System.

(D) COORDINATION.—The Secretary shall coordinate the activities under this section with the heads of relevant Federal agencies, including—

(i) the Secretary of Transportation;

(ii) the Administrator of the Federal Aviation Administration;

(iii) the Administrator of the National Oceanic and Atmospheric Administration; and

(iv) the Administrator of the Federal Emergency Management Agency.

(4) ANNUAL REPORT.—Annually, the Secretary shall submit to Congress a report that describes the activities carried out under this section.

(c) FUNDING.—

(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$55,000,000 for the period of fiscal years 2019 through 2023.

(2) EFFECT ON OTHER SOURCES OF FEDERAL FUNDING.—Amounts made available under this subsection shall supplement, and not supplant, Federal funds made available for other United States Geological Survey hazards activities and programs.

#### SEC. 5002. REAUTHORIZATION OF NATIONAL GEOLOGIC MAPPING ACT OF 1992.

(a) REAUTHORIZATION.—

(1) IN GENERAL.—Section 9(a) of the National Geologic Mapping Act of 1992 (43 U.S.C. 31h(a)) is amended by striking “2018” and inserting “2023”.

(2) CONFORMING AMENDMENT.—Section 4(b)(1) of the National Geologic Mapping Act of 1992 (43 U.S.C. 31c(b)(1)) is amended by striking “Omnibus Public Land Management Act of 2009” each place it appears in subparagraphs (A) and (B) and inserting “Natural Resources Management Act”.

(b) GEOLOGIC MAPPING ADVISORY COMMITTEE.—Section 5(a)(3) of the National Geologic Mapping Act of 1992 (43 U.S.C. 31d(a)(3)) is amended by striking “Associate Director for Geology” and inserting “Associate Director for Core Science Systems”.

(c) CLERICAL AMENDMENTS.—Section 3 of the National Geologic Mapping Act of 1992 (43 U.S.C. 31b) is amended—

(1) in paragraph (4), by striking “section 6(d)(3)” and inserting “section 4(d)(3)”;

(2) in paragraph (5), by striking “section 6(d)(1)” and inserting “section 4(d)(1)”;

(3) in paragraph (9), by striking “section 6(d)(2)” and inserting “section 4(d)(2)”.

#### TITLE VI—NATIONAL HERITAGE AREAS

#### SEC. 6001. NATIONAL HERITAGE AREA DESIGNATIONS.

(a) IN GENERAL.—The following areas are designated as National Heritage Areas, to be administered in accordance with this section:

(1) APPALACHIAN FOREST NATIONAL HERITAGE AREA, WEST VIRGINIA AND MARYLAND.—

(A) IN GENERAL.—There is established the Appalachian Forest National Heritage Area in the States of West Virginia and Maryland, as depicted on the map entitled “Appalachian Forest National Heritage Area”, numbered T07/80,000, and dated October 2007, including—

(i) Barbour, Braxton, Grant, Greenbrier, Hampshire, Hardy, Mineral, Morgan, Nicholas, Pendleton, Pocahontas, Preston, Randolph, Tucker, Upshur, and Webster Counties in West Virginia; and

(ii) Allegany and Garrett Counties in Maryland.

(B) LOCAL COORDINATING ENTITY.—The Appalachian Forest Heritage Area, Inc., shall be—

(i) the local coordinating entity for the National Heritage Area designated by subparagraph (A) (referred to in this subparagraph as the “local coordinating entity”); and

(ii) governed by a board of directors that shall—

(I) include members to represent a geographic balance across the counties described in subparagraph (A) and the States of West Virginia and Maryland;

(II) be composed of not fewer than 7, and not more than 15, members elected by the membership of the local coordinating entity;

(III) be selected to represent a balanced group of diverse interests, including—

- (aa) the forest industry;
- (bb) environmental interests;
- (cc) cultural heritage interests;
- (dd) tourism interests; and
- (ee) regional agency partners;

(IV) exercise all corporate powers of the local coordinating entity;

(V) manage the activities and affairs of the local coordinating entity; and

(VI) subject to any limitations in the articles and bylaws of the local coordinating entity, this section, and other applicable Federal or State law, establish the policies of the local coordinating entity.

(2) MARITIME WASHINGTON NATIONAL HERITAGE AREA, WASHINGTON.—

(A) IN GENERAL.—There is established the Maritime Washington National Heritage Area in the State of Washington, to include land in Whatcom, Skagit, Snohomish, San Juan, Island, King, Pierce, Thurston, Mason, Kitsap, Jefferson, Clallam, and Grays Harbor Counties in the State that is at least partially located within the area that is ¼-mile landward of the shoreline, as generally depicted on the map entitled “Maritime Washington National Heritage Area Proposed Boundary”, numbered 584/125,484, and dated August, 2014.

(B) LOCAL COORDINATING ENTITY.—The Washington Trust for Historic Preservation shall be the local coordinating entity for the National Heritage Area designated by subparagraph (A).

(3) MOUNTAINS TO SOUND GREENWAY NATIONAL HERITAGE AREA, WASHINGTON.—

(A) IN GENERAL.—There is established the Mountains to Sound Greenway National Heritage Area in the State of Washington, to consist of land in King and Kittitas Counties in the State, as generally depicted on the map entitled “Mountains to Sound Greenway National Heritage Area Proposed Boundary”, numbered 584/125,483, and dated August, 2014 (referred to in this paragraph as the “map”).

(B) LOCAL COORDINATING ENTITY.—The Mountains to Sound Greenway Trust shall be the local coordinating entity for the National Heritage Area designated by subparagraph (A).

(C) MAP.—The map shall be on file and available for public inspection in the appropriate offices of—

- (i) the National Park Service;
- (ii) the Forest Service;
- (iii) the Indian Tribes; and
- (iv) the local coordinating entity.

(D) REFERENCES TO INDIAN TRIBE; TRIBAL.—Any reference in this paragraph to the terms “Indian Tribe” and “Tribal” shall be considered, for purposes of the National Heritage Area designated by subparagraph (A), to

refer to each of the Tribal governments of the Snoqualmie, Yakama, Tulalip, Muckleshoot, and Colville Indian Tribes.

(E) MANAGEMENT REQUIREMENTS.—With respect to the National Heritage Area designated by subparagraph (A)—

(i) the preparation of an interpretive plan under subsection (c)(2)(C)(vii) shall also include plans for Tribal heritage;

(ii) the Secretary shall ensure that the management plan developed under subsection (c) is consistent with the trust responsibilities of the Secretary to Indian Tribes and Tribal treaty rights within the National Heritage Area;

(iii) the interpretive plan and management plan for the National Heritage Area shall be developed in consultation with the Indian Tribes;

(iv) nothing in this paragraph shall grant or diminish any hunting, fishing, or gathering treaty right of any Indian Tribe; and

(v) nothing in this paragraph affects the authority of a State or an Indian Tribe to manage fish and wildlife, including the regulation of hunting and fishing within the National Heritage Area.

(4) SACRAMENTO-SAN JOAQUIN DELTA NATIONAL HERITAGE AREA, CALIFORNIA.—

(A) IN GENERAL.—There is established the Sacramento-San Joaquin Delta National Heritage Area in the State of California, to consist of land in Contra Costa, Sacramento, San Joaquin, Solano, and Yolo Counties in the State, as generally depicted on the map entitled “Sacramento-San Joaquin Delta National Heritage Area Proposed Boundary”, numbered T27/105,030, and dated October 2012.

(B) LOCAL COORDINATING ENTITY.—The Delta Protection Commission established by section 29735 of the California Public Resources Code shall be the local coordinating entity for the National Heritage Area designated by subparagraph (A).

(5) SANTA CRUZ VALLEY NATIONAL HERITAGE AREA, ARIZONA.—

(A) IN GENERAL.—There is established the Santa Cruz Valley National Heritage Area in the State of Arizona, to consist of land in Pima and Santa Cruz Counties in the State, as generally depicted on the map entitled “Santa Cruz Valley National Heritage Area”, numbered T09/80,000, and dated November 13, 2007.

(B) LOCAL COORDINATING ENTITY.—Santa Cruz Valley Heritage Alliance, Inc., a nonprofit organization established under the laws of the State of Arizona, shall be the local coordinating entity for the National Heritage Area designated by subparagraph (A).

(6) SUSQUEHANNA NATIONAL HERITAGE AREA, PENNSYLVANIA.—

(A) IN GENERAL.—There is established the Susquehanna National Heritage Area in the State of Pennsylvania, to consist of land in Lancaster and York Counties in the State.

(B) LOCAL COORDINATING ENTITY.—The Susquehanna Heritage Corporation, a nonprofit organization established under the laws of the State of Pennsylvania, shall be the local coordinating entity for the National Heritage Area designated by subparagraph (A).

(b) ADMINISTRATION.—

(1) AUTHORITIES.—For purposes of carrying out the management plan for each of the National Heritage Areas designated by subsection (a), the Secretary, acting through the local coordinating entity, may use amounts made available under subsection (g)—

(A) to make grants to the State or a political subdivision of the State, Indian Tribes, nonprofit organizations, and other persons;

(B) to enter into cooperative agreements with, or provide technical assistance to, the State or a political subdivision of the State,

Indian Tribes, nonprofit organizations, and other interested parties;

(C) to hire and compensate staff, which shall include individuals with expertise in natural, cultural, and historical resources protection, and heritage programming;

(D) to obtain money or services from any source including any money or services that are provided under any other Federal law or program;

(E) to contract for goods or services; and

(F) to undertake to be a catalyst for any other activity that furthers the National Heritage Area and is consistent with the approved management plan.

(2) DUTIES.—The local coordinating entity for each of the National Heritage Areas designated by subsection (a) shall—

(A) in accordance with subsection (c), prepare and submit a management plan for the National Heritage Area to the Secretary;

(B) assist Federal agencies, the State or a political subdivision of the State, Indian Tribes, regional planning organizations, nonprofit organizations and other interested parties in carrying out the approved management plan by—

(i) carrying out programs and projects that recognize, protect, and enhance important resource values in the National Heritage Area;

(ii) establishing and maintaining interpretive exhibits and programs in the National Heritage Area;

(iii) developing recreational and educational opportunities in the National Heritage Area;

(iv) increasing public awareness of, and appreciation for, natural, historical, scenic, and cultural resources of the National Heritage Area;

(v) protecting and restoring historic sites and buildings in the National Heritage Area that are consistent with National Heritage Area themes;

(vi) ensuring that clear, consistent, and appropriate signs identifying points of public access and sites of interest are posted throughout the National Heritage Area; and

(vii) promoting a wide range of partnerships among the Federal Government, State, Tribal, and local governments, organizations, and individuals to further the National Heritage Area;

(C) consider the interests of diverse units of government, businesses, organizations, and individuals in the National Heritage Area in the preparation and implementation of the management plan;

(D) conduct meetings open to the public at least semiannually regarding the development and implementation of the management plan;

(E) for any year that Federal funds have been received under this subsection—

(i) submit to the Secretary an annual report that describes the activities, expenses, and income of the local coordinating entity (including grants to any other entities during the year that the report is made);

(ii) make available to the Secretary for audit all records relating to the expenditure of the funds and any matching funds; and

(iii) require, with respect to all agreements authorizing expenditure of Federal funds by other organizations, that the organizations receiving the funds make available to the Secretary for audit all records concerning the expenditure of the funds; and

(F) encourage by appropriate means economic viability that is consistent with the National Heritage Area.

(3) PROHIBITION ON THE ACQUISITION OF REAL PROPERTY.—The local coordinating entity shall not use Federal funds made available under subsection (g) to acquire real property or any interest in real property.

(c) MANAGEMENT PLAN.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the local coordinating entity for each of the National Heritage Areas designated by subsection (a) shall submit to the Secretary for approval a proposed management plan for the National Heritage Area.

(2) REQUIREMENTS.—The management plan shall—

(A) incorporate an integrated and cooperative approach for the protection, enhancement, and interpretation of the natural, cultural, historic, scenic, and recreational resources of the National Heritage Area;

(B) take into consideration Federal, State, local, and Tribal plans and treaty rights;

(C) include—

(i) an inventory of—

(I) the resources located in the National Heritage Area; and

(II) any other property in the National Heritage Area that—

(aa) is related to the themes of the National Heritage Area; and

(bb) should be preserved, restored, managed, or maintained because of the significance of the property;

(ii) comprehensive policies, strategies and recommendations for conservation, funding, management, and development of the National Heritage Area;

(iii) a description of actions that the Federal Government, State, Tribal, and local governments, private organizations, and individuals have agreed to take to protect the natural, historical, cultural, scenic, and recreational resources of the National Heritage Area;

(iv) a program of implementation for the management plan by the local coordinating entity that includes a description of—

(I) actions to facilitate ongoing collaboration among partners to promote plans for resource protection, restoration, and construction; and

(II) specific commitments for implementation that have been made by the local coordinating entity or any government, organization, or individual for the first 5 years of operation;

(v) the identification of sources of funding for carrying out the management plan;

(vi) analysis and recommendations for means by which Federal, State, local, and Tribal programs, including the role of the National Park Service in the National Heritage Area, may best be coordinated to carry out this subsection; and

(vii) an interpretive plan for the National Heritage Area; and

(D) recommend policies and strategies for resource management that consider and detail the application of appropriate land and water management techniques, including the development of intergovernmental and interagency cooperative agreements to protect the natural, historical, cultural, educational, scenic, and recreational resources of the National Heritage Area.

(3) DEADLINE.—If a proposed management plan is not submitted to the Secretary by the date that is 3 years after the date of enactment of this Act, the local coordinating entity shall be ineligible to receive additional funding under this section until the date on which the Secretary receives and approves the management plan.

(4) APPROVAL OR DISAPPROVAL OF MANAGEMENT PLAN.—

(A) IN GENERAL.—Not later than 180 days after the date of receipt of the management plan under paragraph (1), the Secretary, in consultation with State and Tribal governments, shall approve or disapprove the management plan.

(B) CRITERIA FOR APPROVAL.—In determining whether to approve the management plan, the Secretary shall consider whether—

(i) the local coordinating entity is representative of the diverse interests of the National Heritage Area, including Federal, State, Tribal, and local governments, natural and historic resource protection organizations, educational institutions, businesses, and recreational organizations;

(ii) the local coordinating entity has afforded adequate opportunity, including public hearings, for public and governmental involvement in the preparation of the management plan; and

(iii) the resource protection and interpretation strategies contained in the management plan, if implemented, would adequately protect the natural, historical, and cultural resources of the National Heritage Area.

(C) ACTION FOLLOWING DISAPPROVAL.—If the Secretary disapproves the management plan under subparagraph (A), the Secretary shall—

(i) advise the local coordinating entity in writing of the reasons for the disapproval;

(ii) make recommendations for revisions to the management plan; and

(iii) not later than 180 days after the receipt of any proposed revision of the management plan from the local coordinating entity, approve or disapprove the proposed revision.

(D) AMENDMENTS.—

(i) IN GENERAL.—The Secretary shall approve or disapprove each amendment to the management plan that the Secretary determines make a substantial change to the management plan.

(ii) USE OF FUNDS.—The local coordinating entity shall not use Federal funds authorized by this subsection to carry out any amendments to the management plan until the Secretary has approved the amendments.

(d) RELATIONSHIP TO OTHER FEDERAL AGENCIES.—

(1) IN GENERAL.—Nothing in this section affects the authority of a Federal agency to provide technical or financial assistance under any other law.

(2) CONSULTATION AND COORDINATION.—The head of any Federal agency planning to conduct activities that may have an impact on a National Heritage Area designated by subsection (a) is encouraged to consult and coordinate the activities with the Secretary and the local coordinating entity to the maximum extent practicable.

(3) OTHER FEDERAL AGENCIES.—Nothing in this section—

(A) modifies, alters, or amends any law or regulation authorizing a Federal agency to manage Federal land under the jurisdiction of the Federal agency;

(B) limits the discretion of a Federal land manager to implement an approved land use plan within the boundaries of a National Heritage Area designated by subsection (a); or

(C) modifies, alters, or amends any authorized use of Federal land under the jurisdiction of a Federal agency.

(e) PRIVATE PROPERTY AND REGULATORY PROTECTIONS.—Nothing in this section—

(1) abridges the rights of any property owner (whether public or private), including the right to refrain from participating in any plan, project, program, or activity conducted within a National Heritage Area designated by subsection (a);

(2) requires any property owner—

(A) to permit public access (including access by Federal, State, or local agencies) to the property of the property owner; or

(B) to modify public access or use of property of the property owner under any other Federal, State, or local law;

(3) alters any duly adopted land use regulation, approved land use plan, or other regulatory authority of any Federal, State, Tribal, or local agency;

(4) conveys any land use or other regulatory authority to the local coordinating entity;

(5) authorizes or implies the reservation or appropriation of water or water rights;

(6) enlarges or diminishes the treaty rights of any Indian Tribe within the National Heritage Area;

(7) diminishes—

(A) the authority of the State to manage fish and wildlife, including the regulation of fishing and hunting within a National Heritage Area designated by subsection (a); or

(B) the authority of Indian Tribes to regulate members of Indian Tribes with respect to fishing, hunting, and gathering in the exercise of treaty rights; or

(8) creates any liability, or affects any liability under any other law, of any private property owner with respect to any person injured on the private property.

(f) EVALUATION AND REPORT.—

(1) IN GENERAL.—For each of the National Heritage Areas designated by subsection (a), not later than 3 years before the date on which authority for Federal funding terminates for each National Heritage Area, the Secretary shall—

(A) conduct an evaluation of the accomplishments of the National Heritage Area; and

(B) prepare a report in accordance with paragraph (3).

(2) EVALUATION.—An evaluation conducted under paragraph (1)(A) shall—

(A) assess the progress of the local management entity with respect to—

(i) accomplishing the purposes of the authorizing legislation for the National Heritage Area; and

(ii) achieving the goals and objectives of the approved management plan for the National Heritage Area;

(B) analyze the investments of the Federal Government, State, Tribal, and local governments, and private entities in each National Heritage Area to determine the impact of the investments; and

(C) review the management structure, partnership relationships, and funding of the National Heritage Area for purposes of identifying the critical components for sustainability of the National Heritage Area.

(3) REPORT.—Based on the evaluation conducted under paragraph (1)(A), the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report that includes recommendations for the future role of the National Park Service, if any, with respect to the National Heritage Area.

(g) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated for each National Heritage Area designated by subsection (a) to carry out the purposes of this section \$10,000,000, of which not more than \$1,000,000 may be made available in any fiscal year.

(2) AVAILABILITY.—Amounts made available under paragraph (1) shall remain available until expended.

(3) COST-SHARING REQUIREMENT.—

(A) IN GENERAL.—The Federal share of the total cost of any activity under this section shall be not more than 50 percent.

(B) FORM.—The non-Federal contribution of the total cost of any activity under this section may be in the form of in-kind contributions of goods or services fairly valued.

(4) TERMINATION OF AUTHORITY.—The authority of the Secretary to provide assistance under this section terminates on the date that is 15 years after the date of enactment of this Act.

**SEC. 6002. ADJUSTMENT OF BOUNDARIES OF LINCOLN NATIONAL HERITAGE AREA.**

(a) **BOUNDARY ADJUSTMENT.**—Section 443(b)(1) of the Consolidated Natural Resources Act of 2008 (Public Law 110-229; 122 Stat. 819) is amended—

(1) by inserting “, Livingston,” after “La-Salle”; and

(2) by inserting “, the city of Jonesboro in Union County, and the city of Freeport in Stephenson County” after “Woodford counties”.

(b) **MAP.**—The Secretary shall update the map referred to in section 443(b)(2) of the Consolidated Natural Resources Act of 2008 to reflect the boundary adjustment made by the amendments in subsection (a).

**SEC. 6003. FINGER LAKES NATIONAL HERITAGE AREA STUDY.**

(a) **DEFINITIONS.**—In this section:

(1) **HERITAGE AREA.**—The term “Heritage Area” means the Finger Lakes National Heritage Area.

(2) **STATE.**—The term “State” means the State of New York.

(3) **STUDY AREA.**—The term “study area” means—

(A) the counties in the State of Cayuga, Chemung, Cortland, Livingston, Monroe, Onondaga, Ontario, Schuyler, Seneca, Steuben, Tioga, Tompkins, Wayne, and Yates; and

(B) any other areas in the State that—

(i) have heritage aspects that are similar to the areas described in subparagraph (A); and

(ii) are adjacent to, or in the vicinity of, those areas.

(b) **STUDY.**—

(1) **IN GENERAL.**—The Secretary, in consultation with State and local historic preservation officers, State and local historical societies, State and local tourism offices, and other appropriate organizations and governmental agencies, shall conduct a study to assess the suitability and feasibility of designating the study area as a National Heritage Area, to be known as the “Finger Lakes National Heritage Area”.

(2) **REQUIREMENTS.**—The study shall include analysis, documentation, and determinations on whether the study area—

(A) has an assemblage of natural, historic, and cultural resources that—

(i) represent distinctive aspects of the heritage of the United States;

(ii) are worthy of recognition, conservation, interpretation, and continuing use; and

(iii) would be best managed—

(I) through partnerships among public and private entities; and

(II) by linking diverse and sometimes non-contiguous resources and active communities;

(B) reflects traditions, customs, beliefs, and folklore that are a valuable part of the story of the United States;

(C) provides outstanding opportunities—

(i) to conserve natural, historic, cultural, or scenic features; and

(ii) for recreation and education;

(D) contains resources that—

(i) are important to any identified themes of the study area; and

(ii) retain a degree of integrity capable of supporting interpretation;

(E) includes residents, business interests, nonprofit organizations, and State and local governments that—

(i) are involved in the planning of the Heritage Area;

(ii) have developed a conceptual financial plan that outlines the roles of all participants in the Heritage Area, including the Federal Government; and

(iii) have demonstrated support for the designation of the Heritage Area;

(F) has a potential management entity to work in partnership with the individuals and

entities described in subparagraph (E) to develop the Heritage Area while encouraging State and local economic activity; and

(G) has a conceptual boundary map that is supported by the public.

(c) **REPORT.**—Not later than 3 years after the date on which funds are first made available to carry out this section, the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that describes—

(1) the findings of the study under subsection (b); and

(2) any conclusions and recommendations of the Secretary.

**SEC. 6004. NATIONAL HERITAGE AREA AMENDMENTS.**

(a) **RIVERS OF STEEL NATIONAL HERITAGE AREA.**—Section 409(a) of the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104-333; 110 Stat. 4256; 129 Stat. 2551) is amended in the second sentence, by striking “\$17,000,000” and inserting “\$20,000,000”.

(b) **ESSEX NATIONAL HERITAGE AREA.**—Section 508(a) of the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104-333; 110 Stat. 4260; 129 Stat. 2551) is amended in the second sentence, by striking “\$17,000,000” and inserting “\$20,000,000”.

(c) **OHIO & ERIE NATIONAL HERITAGE CANALWAY.**—Section 810(a) of the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104-333; 110 Stat. 4275; 122 Stat. 826) is amended by striking the second sentence and inserting the following: “Not more than a total of \$20,000,000 may be appropriated for the canalway under this title.”.

(d) **BLUE RIDGE NATIONAL HERITAGE AREA.**—The Blue Ridge National Heritage Area Act of 2003 (Public Law 108-108; 117 Stat. 1274; 131 Stat. 461; 132 Stat. 661) is amended—

(1) in subsection (i)(1), by striking “\$12,000,000” and inserting “\$14,000,000”; and

(2) by striking subsection (j) and inserting the following:

“(j) **TERMINATION OF AUTHORITY.**—The authority of the Secretary to provide assistance under this section terminates on September 30, 2021.”.

(e) **MOTORCITIES NATIONAL HERITAGE AREA.**—Section 110(a) of the Automobile National Heritage Area Act (Public Law 105-355; 112 Stat. 3252) is amended, in the second sentence, by striking “\$10,000,000” and inserting “\$12,000,000”.

(f) **WHEELING NATIONAL HERITAGE AREA.**—Subsection (h)(1) of the Wheeling National Heritage Area Act of 2000 (Public Law 106-291; 114 Stat. 967; 128 Stat. 2421; 129 Stat. 2550) is amended by striking “\$13,000,000” and inserting “\$15,000,000”.

(g) **TENNESSEE CIVIL WAR HERITAGE AREA.**—Section 208 of the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104-333; 110 Stat. 4248; 127 Stat. 420; 128 Stat. 314; 129 Stat. 2551; 132 Stat. 661) is amended by striking “after” and all that follows through the period at the end and inserting the following: “after September 30, 2021.”.

(h) **AUGUSTA CANAL NATIONAL HERITAGE AREA.**—Section 310 of the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104-333; 110 Stat. 4252; 127 Stat. 420; 128 Stat. 314; 129 Stat. 2551; 132 Stat. 661) is amended by striking “2019” and inserting “2021”.

(i) **SOUTH CAROLINA NATIONAL HERITAGE CORRIDOR.**—Section 607 of the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104-333; 110 Stat. 4264; 127 Stat. 420; 128 Stat. 314; 129 Stat. 2551; 132 Stat. 661) is amended by striking “2019” and inserting “2021”.

(j) **OIL REGION NATIONAL HERITAGE AREA.**—The Oil Region National Heritage Area Act (Public Law 108-447; 118 Stat. 3368) is amended by striking “Oil Heritage Region, Inc.” each place it appears and inserting “Oil Region Alliance of Business, Industry and Tourism”.

(k) **HUDSON RIVER VALLEY NATIONAL HERITAGE AREA REDESIGNATION.**—

(1) **IN GENERAL.**—The Hudson River Valley National Heritage Area Act of 1996 (Public Law 104-333; 110 Stat. 4275) is amended by striking “Hudson River Valley National Heritage Area” each place it appears and inserting “Maurice D. Hinchey Hudson River Valley National Heritage Area”.

(2) **REFERENCE IN LAW.**—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Heritage Area referred to in paragraph (1) shall be deemed to be a reference to the “Maurice D. Hinchey Hudson River Valley National Heritage Area”.

**TITLE VII—WILDLIFE HABITAT AND CONSERVATION****SEC. 7001. WILDLIFE HABITAT AND CONSERVATION.**

(a) **PARTNERS FOR FISH AND WILDLIFE PROGRAM REAUTHORIZATION.**—Section 5 of the Partners for Fish and Wildlife Act (16 U.S.C. 3774) is amended by striking “2006 through 2011” and inserting “2019 through 2023”.

(b) **FISH AND WILDLIFE COORDINATION.**—

(1) **PURPOSE.**—The purpose of this subsection is to protect water, oceans, coasts, and wildlife from invasive species.

(2) **AMENDMENTS TO FISH AND WILDLIFE COORDINATION ACT.**—

(A) **SHORT TITLE; AUTHORIZATION.**—The first section of the Fish and Wildlife Coordination Act (16 U.S.C. 661) is amended by striking “For the purpose” and inserting the following:

“**SECTION 1. SHORT TITLE; AUTHORIZATION.**

“(a) **SHORT TITLE.**—This Act may be cited as the ‘Fish and Wildlife Coordination Act’.

“(b) **AUTHORIZATION.**—For the purpose”.

(B) **PROTECTION OF WATER, OCEANS, COASTS, AND WILDLIFE FROM INVASIVE SPECIES.**—The Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.) is amended by adding at the end the following:

“**SEC. 10. PROTECTION OF WATER, OCEANS, COASTS, AND WILDLIFE FROM INVASIVE SPECIES.**

“(a) **DEFINITIONS.**—In this section:

“(1) **CONTROL.**—The term ‘control’, with respect to an invasive species, means the eradication, suppression, or reduction of the population of the invasive species within the area in which the invasive species is present.

“(2) **ECOSYSTEM.**—The term ‘ecosystem’ means the complex of a community of organisms and the environment of the organisms.

“(3) **ELIGIBLE STATE.**—The term ‘eligible State’ means any of—

“(A) a State;

“(B) the District of Columbia;

“(C) the Commonwealth of Puerto Rico;

“(D) Guam;

“(E) American Samoa;

“(F) the Commonwealth of the Northern Mariana Islands; and

“(G) the United States Virgin Islands.

“(4) **INVASIVE SPECIES.**—

“(A) **IN GENERAL.**—The term ‘invasive species’ means an alien species, the introduction of which causes, or is likely to cause, economic or environmental harm or harm to human health.

“(B) **ASSOCIATED DEFINITION.**—For purposes of subparagraph (A), the term ‘alien species’, with respect to a particular ecosystem, means any species (including the seeds, eggs, spores, or other biological material of the species that are capable of propagating the species) that is not native to the affected ecosystem.

“(5) **MANAGE; MANAGEMENT.**—The terms ‘manage’ and ‘management’, with respect to an invasive species, mean the active implementation of any activity—

“(A) to reduce or stop the spread of the invasive species; and

“(B) to inhibit further infestations of the invasive species, the spread of the invasive species, or harm caused by the invasive species, including investigations regarding methods for early detection and rapid response, prevention, control, or management of the invasive species.

“(6) **PREVENT.**—The term ‘prevent’, with respect to an invasive species, means—

“(A) to hinder the introduction of the invasive species onto land or water; or

“(B) to impede the spread of the invasive species within land or water by inspecting, intercepting, or confiscating invasive species threats prior to the establishment of the invasive species onto land or water of an eligible State.

“(7) **SECRETARY CONCERNED.**—The term ‘Secretary concerned’ means—

“(A) the Secretary of the Army, with respect to Federal land administered by the Corps of Engineers;

“(B) the Secretary of the Interior, with respect to Federal land administered by the Secretary of the Interior through—

“(i) the United States Fish and Wildlife Service;

“(ii) the Bureau of Indian Affairs;

“(iii) the Bureau of Land Management;

“(iv) the Bureau of Reclamation; or

“(v) the National Park Service;

“(C) the Secretary of Agriculture, with respect to Federal land administered by the Secretary of Agriculture through the Forest Service; and

“(D) the head or a representative of any other Federal agency the duties of whom require planning relating to, and the treatment of, invasive species for the purpose of protecting water and wildlife on land and coasts and in oceans and water.

“(8) **SPECIES.**—The term ‘species’ means a group of organisms, all of which—

“(A) have a high degree of genetic similarity;

“(B) are morphologically distinct;

“(C) generally—

“(i) interbreed at maturity only among themselves; and

“(ii) produce fertile offspring; and

“(D) show persistent differences from members of allied groups of organisms.

“(b) **CONTROL AND MANAGEMENT.**—Each Secretary concerned shall plan and carry out activities on land directly managed by the Secretary concerned to protect water and wildlife by controlling and managing invasive species—

“(1) to inhibit or reduce the populations of invasive species; and

“(2) to effectuate restoration or reclamation efforts.

“(c) **STRATEGIC PLAN.**—

“(1) **IN GENERAL.**—Each Secretary concerned shall develop a strategic plan for the implementation of the invasive species program to achieve, to the maximum extent practicable, a substantive annual net reduction of invasive species populations or infested acreage on land or water managed by the Secretary concerned.

“(2) **COORDINATION.**—Each strategic plan under paragraph (1) shall be developed—

“(A) in coordination with affected—

“(i) eligible States; and

“(ii) political subdivisions of eligible States;

“(B) in consultation with federally recognized Indian tribes; and

“(C) in accordance with the priorities established by 1 or more Governors of the eligi-

ble States in which an ecosystem affected by an invasive species is located.

“(3) **FACTORS FOR CONSIDERATION.**—In developing a strategic plan under this subsection, the Secretary concerned shall take into consideration the economic and ecological costs of action or inaction, as applicable.

“(d) **COST-EFFECTIVE METHODS.**—In selecting a method to be used to control or manage an invasive species as part of a specific control or management project conducted as part of a strategic plan developed under subsection (c), the Secretary concerned shall prioritize the use of methods that—

“(1) effectively control and manage invasive species, as determined by the Secretary concerned, based on sound scientific data;

“(2) minimize environmental impacts; and

“(3) control and manage invasive species in the most cost-effective manner.

“(e) **COMPARATIVE ECONOMIC ASSESSMENT.**—To achieve compliance with subsection (d), the Secretary concerned shall require a comparative economic assessment of invasive species control and management methods to be conducted.

“(f) **EXPEDITED ACTION.**—

“(1) **IN GENERAL.**—The Secretaries concerned shall use all tools and flexibilities available (as of the date of enactment of this section) to expedite the projects and activities described in paragraph (2).

“(2) **DESCRIPTION OF PROJECTS AND ACTIVITIES.**—A project or activity referred to in paragraph (1) is a project or activity—

“(A) to protect water or wildlife from an invasive species that, as determined by the Secretary concerned is, or will be, carried out on land or water that is—

“(i) directly managed by the Secretary concerned; and

“(ii) located in an area that is—

“(I) at high risk for the introduction, establishment, or spread of invasive species; and

“(II) determined by the Secretary concerned to require immediate action to address the risk identified in subclause (I); and

“(B) carried out in accordance with applicable agency procedures, including any applicable—

“(i) land or resource management plan; or

“(ii) land use plan.

“(g) **ALLOCATION OF FUNDING.**—Of the amount appropriated or otherwise made available to each Secretary concerned for a fiscal year for programs that address or include protection of land or water from an invasive species, the Secretary concerned shall use not less than 75 percent for on-the-ground control and management of invasive species, which may include—

“(1) the purchase of necessary products, equipment, or services to conduct that control and management;

“(2) the use of integrated pest management options, including options that use pesticides authorized for sale, distribution, or use under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.);

“(3) the use of biological control agents that are proven to be effective to reduce invasive species populations;

“(4) the use of revegetation or cultural restoration methods designed to improve the diversity and richness of ecosystems;

“(5) the use of monitoring and detection activities for invasive species, including equipment, detection dogs, and mechanical devices;

“(6) the use of appropriate methods to remove invasive species from a vehicle or vessel capable of conveyance; or

“(7) the use of other effective mechanical or manual control methods.

“(h) **INVESTIGATIONS, OUTREACH, AND PUBLIC AWARENESS.**—Of the amount appro-

priated or otherwise made available to each Secretary concerned for a fiscal year for programs that address or include protection of land or water from an invasive species, the Secretary concerned may use not more than 15 percent for investigations, development activities, and outreach and public awareness efforts to address invasive species control and management needs.

“(i) **ADMINISTRATIVE COSTS.**—Of the amount appropriated or otherwise made available to each Secretary concerned for a fiscal year for programs that address or include protection of land or water from an invasive species, not more than 10 percent may be used for administrative costs incurred to carry out those programs, including costs relating to oversight and management of the programs, recordkeeping, and implementation of the strategic plan developed under subsection (c).

“(j) **REPORTING REQUIREMENTS.**—Not later than 60 days after the end of the second fiscal year beginning after the date of enactment of this section, each Secretary concerned shall submit to Congress a report—

“(1) describing the use by the Secretary concerned during the 2 preceding fiscal years of funds for programs that address or include invasive species management; and

“(2) specifying the percentage of funds expended for each of the purposes specified in subsections (g), (h), and (i).

“(k) **RELATION TO OTHER AUTHORITY.**—

“(1) **OTHER INVASIVE SPECIES CONTROL, PREVENTION, AND MANAGEMENT AUTHORITIES.**—Nothing in this section precludes the Secretary concerned from pursuing or supporting, pursuant to any other provision of law, any activity regarding the control, prevention, or management of an invasive species, including investigations to improve the control, prevention, or management of the invasive species.

“(2) **PUBLIC WATER SUPPLY SYSTEMS.**—Nothing in this section authorizes the Secretary concerned to suspend any water delivery or diversion, or otherwise to prevent the operation of a public water supply system, as a measure to control, manage, or prevent the introduction or spread of an invasive species.

“(l) **USE OF PARTNERSHIPS.**—Subject to the subsections (m) and (n), the Secretary concerned may enter into any contract or cooperative agreement with another Federal agency, an eligible State, a federally recognized Indian tribe, a political subdivision of an eligible State, or a private individual or entity to assist with the control and management of an invasive species.

“(m) **MEMORANDUM OF UNDERSTANDING.**—

“(1) **IN GENERAL.**—As a condition of a contract or cooperative agreement under subsection (l), the Secretary concerned and the applicable Federal agency, eligible State, political subdivision of an eligible State, or private individual or entity shall enter into a memorandum of understanding that describes—

“(A) the nature of the partnership between the parties to the memorandum of understanding; and

“(B) the control and management activities to be conducted under the contract or cooperative agreement.

“(2) **CONTENTS.**—A memorandum of understanding under this subsection shall contain, at a minimum, the following:

“(A) A prioritized listing of each invasive species to be controlled or managed.

“(B) An assessment of the total acres of land or area of water infested by the invasive species.

“(C) An estimate of the expected total acres of land or area of water infested by the invasive species after control and management of the invasive species is attempted.

“(D) A description of each specific, integrated pest management option to be used,



including a comparative economic assessment to determine the least-costly method.

“(E) Any map, boundary, or Global Positioning System coordinates needed to clearly identify the area in which each control or management activity is proposed to be conducted.

“(F) A written assurance that each partner will comply with section 15 of the Federal Noxious Weed Act of 1974 (7 U.S.C. 2814).

“(3) COORDINATION.—If a partner to a contract or cooperative agreement under subsection (1) is an eligible State, political subdivision of an eligible State, or private individual or entity, the memorandum of understanding under this subsection shall include a description of—

“(A) the means by which each applicable control or management effort will be coordinated; and

“(B) the expected outcomes of managing and controlling the invasive species.

“(4) PUBLIC OUTREACH AND AWARENESS EFFORTS.—If a contract or cooperative agreement under subsection (1) involves any outreach or public awareness effort, the memorandum of understanding under this subsection shall include a list of goals and objectives for each outreach or public awareness effort that have been determined to be efficient to inform national, regional, State, Tribal, or local audiences regarding invasive species control and management.

“(n) INVESTIGATIONS.—The purpose of any invasive species-related investigation carried out under a contract or cooperative agreement under subsection (1) shall be—

“(1) to develop solutions and specific recommendations for control and management of invasive species; and

“(2) specifically to provide faster implementation of control and management methods.

“(o) COORDINATION WITH AFFECTED LOCAL GOVERNMENTS.—Each project and activity carried out pursuant to this section shall be coordinated with affected local governments in a manner that is consistent with section 202(c)(9) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712(c)(9)).”.

(c) WILDLIFE CONSERVATION.—

(1) REAUTHORIZATIONS.—

(A) REAUTHORIZATION OF AFRICAN ELEPHANT CONSERVATION ACT.—Section 2306(a) of the African Elephant Conservation Act (16 U.S.C. 4245(a)) is amended by striking “2007 through 2012” and inserting “2019 through 2023”.

(B) REAUTHORIZATION OF ASIAN ELEPHANT CONSERVATION ACT OF 1997.—Section 8(a) of the Asian Elephant Conservation Act of 1997 (16 U.S.C. 4266(a)) is amended by striking “2007 through 2012” and inserting “2019 through 2023”.

(C) REAUTHORIZATION OF RHINOCEROS AND TIGER CONSERVATION ACT OF 1994.—Section 10(a) of the Rhinoceros and Tiger Conservation Act of 1994 (16 U.S.C. 5306(a)) is amended by striking “2007 through 2012” and inserting “2019 through 2023”.

(2) AMENDMENTS TO GREAT APE CONSERVATION ACT OF 2000.—

(A) PANEL.—Section 4(i) of the Great Ape Conservation Act of 2000 (16 U.S.C. 6303(i)) is amended—

(i) by striking paragraph (1) and inserting the following:

“(1) CONVENTION.—Not later than 1 year after the date of enactment of the Natural Resources Management Act, and every 5 years thereafter, the Secretary may convene a panel of experts on great apes to identify the greatest needs and priorities for the conservation of great apes.”;

(ii) by redesignating paragraph (2) as paragraph (5); and

(iii) by inserting after paragraph (1) the following:

“(2) COMPOSITION.—The Secretary shall ensure that the panel referred to in paragraph (1) includes, to the maximum extent practicable, 1 or more representatives—

“(A) from each country that comprises the natural range of great apes; and

“(B) with expertise in great ape conservation.

“(3) CONSERVATION PLANS.—In identifying the conservation needs and priorities under paragraph (1), the panel referred to in that paragraph shall consider any relevant great ape conservation plan or strategy, including scientific research and findings relating to—

“(A) the conservation needs and priorities of great apes;

“(B) any regional or species-specific action plan or strategy;

“(C) any applicable strategy developed or initiated by the Secretary; and

“(D) any other applicable conservation plan or strategy.

“(4) FUNDS.—Subject to the availability of appropriations, the Secretary may use amounts available to the Secretary to pay for the costs of convening and facilitating any meeting of the panel referred to in paragraph (1).”.

(B) MULTIYEAR GRANTS.—Section 4 of the Great Ape Conservation Act of 2000 (16 U.S.C. 6303) is amended by adding at the end the following:

“(j) MULTIYEAR GRANTS.—

“(1) AUTHORIZATION.—The Secretary may award to a person who is otherwise eligible for a grant under this section a multiyear grant to carry out a project that the person demonstrates is an effective, long-term conservation strategy for great apes and the habitat of great apes.

“(2) EFFECT OF SUBSECTION.—Nothing in this subsection precludes the Secretary from awarding a grant on an annual basis.”.

(C) ADMINISTRATIVE EXPENSES.—Section 5(b)(2) of the Great Ape Conservation Act of 2000 (16 U.S.C. 6304(b)(2)) is amended by striking “\$100,000” and inserting “\$150,000”.

(D) AUTHORIZATION OF APPROPRIATIONS.—Section 6 of the Great Ape Conservation Act of 2000 (16 U.S.C. 6305) is amended by striking “2006 through 2010” and inserting “2019 through 2023”.

(3) AMENDMENTS TO MARINE TURTLE CONSERVATION ACT OF 2004.—

(A) PURPOSE.—Section 2 of the Marine Turtle Conservation Act of 2004 (16 U.S.C. 6601) is amended by striking subsection (b) and inserting the following:

“(b) PURPOSE.—The purpose of this Act is to assist in the conservation of marine turtles, freshwater turtles, and tortoises and the habitats of marine turtles, freshwater turtles, and tortoises in foreign countries and territories of the United States by supporting and providing financial resources for projects—

“(1) to conserve marine turtle, freshwater turtle, and tortoise habitats under the jurisdiction of United States Fish and Wildlife Service programs;

“(2) to conserve marine turtles, freshwater turtles, and tortoises in those habitats; and

“(3) to address other threats to the survival of marine turtles, freshwater turtles, and tortoises, including habitat loss, poaching of turtles or their eggs, and wildlife trafficking.”.

(B) DEFINITIONS.—Section 3 of the Marine Turtle Conservation Act of 2004 (16 U.S.C. 6602) is amended—

(i) in paragraph (2)—

(I) in the matter preceding subparagraph (A), by striking “nesting habitats of marine turtles in foreign countries and of marine turtles in those habitats” and inserting “marine turtles, freshwater turtles, and tortoises, and the habitats of marine turtles, freshwater turtles, and tortoises, in foreign

countries and territories of the United States under the jurisdiction of United States Fish and Wildlife Service programs”;

(II) in subparagraphs (A), (B), and (C), by striking “nesting” each place it appears;

(III) in subparagraph (D)—

(aa) in the matter preceding clause (i), by striking “countries to—” and inserting “countries—”;

(bb) in clause (i)—

(AA) by inserting “to” before “protect”; and

(BB) by striking “nesting” each place it appears; and

(cc) in clause (ii), by inserting “to” before “prevent”;

(IV) in subparagraph (E)(i), by striking “turtles on nesting habitat” and inserting “turtles, freshwater turtles, and tortoises”;

(V) in subparagraph (F), by striking “turtles over habitat used by marine turtles for nesting” and inserting “turtles, freshwater turtles, and tortoises over habitats used by marine turtles, freshwater turtles, and tortoises”; and

(VI) in subparagraph (H), by striking “nesting” each place it appears;

(ii) by redesignating paragraphs (3), (4), (5), and (6) as paragraphs (4), (6), (7), and (8), respectively;

(iii) by inserting before paragraph (4) (as so redesignated) the following:

“(3) FRESHWATER TURTLE.—

“(A) IN GENERAL.—The term ‘freshwater turtle’ means any member of the family Carettochelyidae, Chelidae, Chelydridae, Dermatemnydidae, Emydidae, Geoemydidae, Kinosternidae, Pelomedusidae, Platysternidae, Podocnemididae, or Trionychidae.

“(B) INCLUSIONS.—The term ‘freshwater turtle’ includes—

“(i) any part, product, egg, or offspring of a turtle described in subparagraph (A); and

“(ii) a carcass of such a turtle.”;

(iv) by inserting after paragraph (4) (as so redesignated) the following:

“(5) HABITAT.—The term ‘habitat’ means any marine turtle, freshwater turtle, or tortoise habitat (including a nesting habitat) that is under the jurisdiction of United States Fish and Wildlife Service programs.”; and

(v) by inserting after paragraph (8) (as so redesignated) the following:

“(9) TERRITORY OF THE UNITED STATES.—The term ‘territory of the United States’ means—

“(A) American Samoa;

“(B) the Commonwealth of the Northern Mariana Islands;

“(C) the Commonwealth of Puerto Rico;

“(D) Guam;

“(E) the United States Virgin Islands; and

“(F) any other territory or possession of the United States.

“(10) TORTOISE.—

“(A) IN GENERAL.—The term ‘tortoise’ means any member of the family Testudinidae.

“(B) INCLUSIONS.—The term ‘tortoise’ includes—

“(i) any part, product, egg, or offspring of a tortoise described in subparagraph (A); and

“(ii) a carcass of such a tortoise.”.

(C) CONSERVATION ASSISTANCE.—Section 4 of the Marine Turtle Conservation Act of 2004 (16 U.S.C. 6603) is amended—

(i) in the section heading, by striking “MARINE TURTLE”;

(ii) in subsection (a), by inserting “, freshwater turtles, or tortoises” after “marine turtles”;

(iii) in subsection (b)(1)—

(I) in the matter preceding subparagraph (A), by inserting “, freshwater turtles, or tortoises” after “marine turtles”;

(II) by striking subparagraph (A) and inserting the following:

“(A) any wildlife management authority of a foreign country or territory of the United States that has within its boundaries marine turtle, freshwater turtle, or tortoise habitat, if the activities of the authority directly or indirectly affect marine turtle, freshwater turtle, or tortoise conservation; or”; and

(III) in subparagraph (B), by inserting “, freshwater turtles, or tortoises” after “marine turtles”;

(iv) in subsection (c)(2), in each of subparagraphs (A) and (C), by inserting “and territory of the United States” after “each country”;

(v) by striking subsection (d) and inserting the following:

“(d) **CRITERIA FOR APPROVAL.**—The Secretary may approve a project proposal under this section if the Secretary determines that the project will help to restore, recover, and sustain a viable population of marine turtles, freshwater turtles, or tortoises in the wild by assisting efforts in a foreign country or territory of the United States to implement a marine turtle, freshwater turtle, or tortoise conservation program.”; and

(vi) in subsection (e), by striking “marine turtles and their nesting habitats” and inserting “marine turtles, freshwater turtles, or tortoises and the habitats of marine turtles, freshwater turtles, or tortoises”.

(D) **MARINE TURTLE CONSERVATION FUND.**—Section 5 of the Marine Turtle Conservation Act of 2004 (16 U.S.C. 6604) is amended—

(i) in subsection (a)(2), by striking “section 6” and inserting “section 7(a)”; and

(ii) in subsection (b)(2), by striking “3 percent, or up to \$80,000” and inserting “5 percent, or up to \$150,000”.

(E) **ADVISORY GROUP.**—Section 6(a) of the Marine Turtle Conservation Act of 2004 (16 U.S.C. 6605(a)) is amended by inserting “, freshwater turtles, or tortoises” after “marine turtles”.

(F) **AUTHORIZATION OF APPROPRIATIONS.**—Section 7 of the Marine Turtle Conservation Act of 2004 (16 U.S.C. 6606) is amended to read as follows:

**“SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

“(a) **IN GENERAL.**—There is authorized to be appropriated to the Fund \$5,000,000 for each of fiscal years 2019 through 2023.

“(b) **ALLOCATION.**—Of the amounts made available for each fiscal year pursuant to subsection (a)—

“(1) not less than \$1,510,000 shall be used by the Secretary for marine turtle conservation purposes in accordance with this Act; and

“(2) of the amounts in excess of the amount described in paragraph (1), not less than 40 percent shall be used by the Secretary for freshwater turtle and tortoise conservation purposes in accordance with this Act.”.

(d) **PRIZE COMPETITIONS.**—

(1) **DEFINITIONS.**—In this subsection:

(A) **NON-FEDERAL FUNDS.**—The term “non-Federal funds” means funds provided by—

(i) a State;

(ii) a territory of the United States;

(iii) 1 or more units of local or tribal government;

(iv) a private for-profit entity;

(v) a nonprofit organization; or

(vi) a private individual.

(B) **SECRETARY.**—The term “Secretary” means the Secretary, acting through the Director of the United States Fish and Wildlife Service.

(C) **WILDLIFE.**—The term “wildlife” has the meaning given the term in section 8 of the Fish and Wildlife Coordination Act (16 U.S.C. 666b).

(2) **THEODORE ROOSEVELT GENIUS PRIZE FOR PREVENTION OF WILDLIFE POACHING AND TRAFFICKING.**—

(A) **DEFINITIONS.**—In this paragraph:

(i) **BOARD.**—The term “Board” means the Prevention of Wildlife Poaching and Trafficking Technology Advisory Board established by subparagraph (C)(i).

(ii) **PRIZE COMPETITION.**—The term “prize competition” means the Theodore Roosevelt Genius Prize for the prevention of wildlife poaching and trafficking established under subparagraph (B).

(B) **AUTHORITY.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish under section 24 of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3719) a prize competition, to be known as the “Theodore Roosevelt Genius Prize for the prevention of wildlife poaching and trafficking”—

(i) to encourage technological innovation with the potential to advance the mission of the United States Fish and Wildlife Service with respect to the prevention of wildlife poaching and trafficking; and

(ii) to award 1 or more prizes annually for a technological advancement that prevents wildlife poaching and trafficking.

(C) **ADVISORY BOARD.**—

(i) **ESTABLISHMENT.**—There is established an advisory board, to be known as the “Prevention of Wildlife Poaching and Trafficking Technology Advisory Board”.

(ii) **COMPOSITION.**—The Board shall be composed of not fewer than 9 members appointed by the Secretary, who shall provide expertise in—

(I) wildlife trafficking and trade;

(II) wildlife conservation and management;

(III) biology;

(IV) technology development;

(V) engineering;

(VI) economics;

(VII) business development and management; and

(VIII) any other discipline, as the Secretary determines to be necessary to achieve the purposes of this paragraph.

(iii) **DUTIES.**—Subject to clause (iv), with respect to the prize competition, the Board shall—

(I) select a topic;

(II) issue a problem statement;

(III) advise the Secretary regarding any opportunity for technological innovation to prevent wildlife poaching and trafficking; and

(IV) advise winners of the prize competition regarding opportunities to pilot and implement winning technologies in relevant fields, including in partnership with conservation organizations, Federal or State agencies, federally recognized Indian tribes, private entities, and research institutions with expertise or interest relating to the prevention of wildlife poaching and trafficking.

(iv) **CONSULTATION.**—In selecting a topic and issuing a problem statement for the prize competition under subclauses (I) and (II) of clause (iii), respectively, the Board shall consult widely with Federal and non-Federal stakeholders, including—

(I) 1 or more Federal agencies with jurisdiction over the prevention of wildlife poaching and trafficking;

(II) 1 or more State agencies with jurisdiction over the prevention of wildlife poaching and trafficking;

(III) 1 or more State, regional, or local wildlife organizations, the mission of which relates to the prevention of wildlife poaching and trafficking; and

(IV) 1 or more wildlife conservation groups, technology companies, research institutions, institutions of higher education, industry associations, or individual stakeholders with an interest in the prevention of wildlife poaching and trafficking.

(v) **REQUIREMENTS.**—The Board shall comply with all requirements under paragraph (7)(A).

(D) **AGREEMENT WITH NATIONAL FISH AND WILDLIFE FOUNDATION.**—

(i) **IN GENERAL.**—The Secretary shall offer to enter into an agreement under which the National Fish and Wildlife Foundation shall administer the prize competition.

(ii) **REQUIREMENTS.**—An agreement entered into under clause (i) shall comply with all requirements under paragraph (7)(B).

(E) **JUDGES.**—

(i) **APPOINTMENT.**—The Secretary shall appoint not fewer than 3 judges who shall, except as provided in clause (ii), select the 1 or more annual winners of the prize competition.

(ii) **DETERMINATION BY SECRETARY.**—The judges appointed under clause (i) shall not select any annual winner of the prize competition if the Secretary makes a determination that, in any fiscal year, none of the technological advancements entered into the prize competition merits an award.

(F) **REPORT TO CONGRESS.**—Not later than 60 days after the date on which a cash prize is awarded under this paragraph, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Natural Resources of the House of Representatives a report on the prize competition that includes—

(i) a statement by the Board that describes the activities carried out by the Board relating to the duties described in subparagraph (C)(iii);

(ii) if the Secretary has entered into an agreement under subparagraph (D)(i), a statement by the National Fish and Wildlife Foundation that describes the activities carried out by the National Fish and Wildlife Foundation relating to the duties described in paragraph (7)(B); and

(iii) a statement by 1 or more of the judges appointed under subparagraph (E) that explains the basis on which the winner of the cash prize was selected.

(G) **TERMINATION OF AUTHORITY.**—The Board and all authority provided under this paragraph shall terminate on December 31, 2023.

(3) **THEODORE ROOSEVELT GENIUS PRIZE FOR PROMOTION OF WILDLIFE CONSERVATION.**—

(A) **DEFINITIONS.**—In this paragraph:

(i) **BOARD.**—The term “Board” means the Promotion of Wildlife Conservation Technology Advisory Board established by subparagraph (C)(i).

(ii) **PRIZE COMPETITION.**—The term “prize competition” means the Theodore Roosevelt Genius Prize for the promotion of wildlife conservation established under subparagraph (B).

(B) **AUTHORITY.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish under section 24 of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3719) a prize competition, to be known as the “Theodore Roosevelt Genius Prize for the promotion of wildlife conservation”—

(i) to encourage technological innovation with the potential to advance the mission of the United States Fish and Wildlife Service with respect to the promotion of wildlife conservation; and

(ii) to award 1 or more prizes annually for a technological advancement that promotes wildlife conservation.

(C) **ADVISORY BOARD.**—

(i) **ESTABLISHMENT.**—There is established an advisory board, to be known as the “Promotion of Wildlife Conservation Technology Advisory Board”.

(ii) **COMPOSITION.**—The Board shall be composed of not fewer than 9 members appointed

by the Secretary, who shall provide expertise in—

- (I) wildlife conservation and management;
- (II) biology;
- (III) technology development;
- (IV) engineering;
- (V) economics;
- (VI) business development and management; and

(VII) any other discipline, as the Secretary determines to be necessary to achieve the purposes of this paragraph.

(iii) DUTIES.—Subject to clause (iv), with respect to the prize competition, the Board shall—

- (I) select a topic;
- (II) issue a problem statement;
- (III) advise the Secretary regarding any opportunity for technological innovation to promote wildlife conservation; and
- (IV) advise winners of the prize competition regarding opportunities to pilot and implement winning technologies in relevant fields, including in partnership with conservation organizations, Federal or State agencies, federally recognized Indian tribes, private entities, and research institutions with expertise or interest relating to the promotion of wildlife conservation.

(iv) CONSULTATION.—In selecting a topic and issuing a problem statement for the prize competition under subclauses (I) and (II) of clause (iii), respectively, the Board shall consult widely with Federal and non-Federal stakeholders, including—

(I) 1 or more Federal agencies with jurisdiction over the promotion of wildlife conservation;

(II) 1 or more State agencies with jurisdiction over the promotion of wildlife conservation;

(III) 1 or more State, regional, or local wildlife organizations, the mission of which relates to the promotion of wildlife conservation; and

(IV) 1 or more wildlife conservation groups, technology companies, research institutions, institutions of higher education, industry associations, or individual stakeholders with an interest in the promotion of wildlife conservation.

(v) REQUIREMENTS.—The Board shall comply with all requirements under paragraph (7)(A).

(D) AGREEMENT WITH NATIONAL FISH AND WILDLIFE FOUNDATION.—

(i) IN GENERAL.—The Secretary shall offer to enter into an agreement under which the National Fish and Wildlife Foundation shall administer the prize competition.

(ii) REQUIREMENTS.—An agreement entered into under clause (i) shall comply with all requirements under paragraph (7)(B).

(E) JUDGES.—

(i) APPOINTMENT.—The Secretary shall appoint not fewer than 3 judges who shall, except as provided in clause (ii), select the 1 or more annual winners of the prize competition.

(ii) DETERMINATION BY SECRETARY.—The judges appointed under clause (i) shall not select any annual winner of the prize competition if the Secretary makes a determination that, in any fiscal year, none of the technological advancements entered into the prize competition merits an award.

(F) REPORT TO CONGRESS.—Not later than 60 days after the date on which a cash prize is awarded under this paragraph, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Natural Resources of the House of Representatives a report on the prize competition that includes—

(i) a statement by the Board that describes the activities carried out by the Board relating to the duties described in subparagraph (C)(iii);

(ii) if the Secretary has entered into an agreement under subparagraph (D)(i), a statement by the National Fish and Wildlife Foundation that describes the activities carried out by the National Fish and Wildlife Foundation relating to the duties described in paragraph (7)(B); and

(iii) a statement by 1 or more of the judges appointed under subparagraph (E) that explains the basis on which the winner of the cash prize was selected.

(G) TERMINATION OF AUTHORITY.—The Board and all authority provided under this paragraph shall terminate on December 31, 2023.

(4) THEODORE ROOSEVELT GENIUS PRIZE FOR MANAGEMENT OF INVASIVE SPECIES.—

(A) DEFINITIONS.—In this paragraph:

(i) BOARD.—The term “Board” means the Management of Invasive Species Technology Advisory Board established by subparagraph (C)(i).

(ii) PRIZE COMPETITION.—The term “prize competition” means the Theodore Roosevelt Genius Prize for the management of invasive species established under subparagraph (B).

(B) AUTHORITY.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish under section 24 of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3719) a prize competition, to be known as the “Theodore Roosevelt Genius Prize for the management of invasive species” —

(i) to encourage technological innovation with the potential to advance the mission of the United States Fish and Wildlife Service with respect to the management of invasive species; and

(ii) to award 1 or more prizes annually for a technological advancement that manages invasive species.

(C) ADVISORY BOARD.—

(i) ESTABLISHMENT.—There is established an advisory board, to be known as the “Management of Invasive Species Technology Advisory Board”.

(ii) COMPOSITION.—The Board shall be composed of not fewer than 9 members appointed by the Secretary, who shall provide expertise in—

- (I) invasive species;
- (II) biology;
- (III) technology development;
- (IV) engineering;
- (V) economics;
- (VI) business development and management; and

(VII) any other discipline, as the Secretary determines to be necessary to achieve the purposes of this paragraph.

(iii) DUTIES.—Subject to clause (iv), with respect to the prize competition, the Board shall—

- (I) select a topic;
- (II) issue a problem statement;
- (III) advise the Secretary regarding any opportunity for technological innovation to manage invasive species; and

(IV) advise winners of the prize competition regarding opportunities to pilot and implement winning technologies in relevant fields, including in partnership with conservation organizations, Federal or State agencies, federally recognized Indian tribes, private entities, and research institutions with expertise or interest relating to the management of invasive species.

(iv) CONSULTATION.—In selecting a topic and issuing a problem statement for the prize competition under subclauses (I) and (II) of clause (iii), respectively, the Board shall consult widely with Federal and non-Federal stakeholders, including—

(I) 1 or more Federal agencies with jurisdiction over the management of invasive species;

(II) 1 or more State agencies with jurisdiction over the management of invasive species;

(III) 1 or more State, regional, or local wildlife organizations, the mission of which relates to the management of invasive species; and

(IV) 1 or more wildlife conservation groups, technology companies, research institutions, institutions of higher education, industry associations, or individual stakeholders with an interest in the management of invasive species.

(v) REQUIREMENTS.—The Board shall comply with all requirements under paragraph (7)(A).

(D) AGREEMENT WITH NATIONAL FISH AND WILDLIFE FOUNDATION.—

(i) IN GENERAL.—The Secretary shall offer to enter into an agreement under which the National Fish and Wildlife Foundation shall administer the prize competition.

(ii) REQUIREMENTS.—An agreement entered into under clause (i) shall comply with all requirements under paragraph (7)(B).

(E) JUDGES.—

(i) APPOINTMENT.—The Secretary shall appoint not fewer than 3 judges who shall, except as provided in clause (ii), select the 1 or more annual winners of the prize competition.

(ii) DETERMINATION BY SECRETARY.—The judges appointed under clause (i) shall not select any annual winner of the prize competition if the Secretary makes a determination that, in any fiscal year, none of the technological advancements entered into the prize competition merits an award.

(F) REPORT TO CONGRESS.—Not later than 60 days after the date on which a cash prize is awarded under this paragraph, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Natural Resources of the House of Representatives a report on the prize competition that includes—

(i) a statement by the Board that describes the activities carried out by the Board relating to the duties described in subparagraph (C)(iii);

(ii) if the Secretary has entered into an agreement under subparagraph (D)(i), a statement by the National Fish and Wildlife Foundation that describes the activities carried out by the National Fish and Wildlife Foundation relating to the duties described in paragraph (7)(B); and

(iii) a statement by 1 or more of the judges appointed under subparagraph (E) that explains the basis on which the winner of the cash prize was selected.

(G) TERMINATION OF AUTHORITY.—The Board and all authority provided under this paragraph shall terminate on December 31, 2023.

(5) THEODORE ROOSEVELT GENIUS PRIZE FOR PROTECTION OF ENDANGERED SPECIES.—

(A) DEFINITIONS.—In this paragraph:

(i) BOARD.—The term “Board” means the Protection of Endangered Species Technology Advisory Board established by subparagraph (C)(i).

(ii) PRIZE COMPETITION.—The term “prize competition” means the Theodore Roosevelt Genius Prize for the protection of endangered species established under subparagraph (B).

(B) AUTHORITY.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish under section 24 of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3719) a prize competition, to be known as the “Theodore Roosevelt Genius Prize for the protection of endangered species” —

(i) to encourage technological innovation with the potential to advance the mission of the United States Fish and Wildlife Service

with respect to the protection of endangered species; and

(ii) to award 1 or more prizes annually for a technological advancement that protects endangered species.

(C) ADVISORY BOARD.—

(i) ESTABLISHMENT.—There is established an advisory board, to be known as the “Protection of Endangered Species Technology Advisory Board”.

(ii) COMPOSITION.—The Board shall be composed of not fewer than 9 members appointed by the Secretary, who shall provide expertise in—

- (I) endangered species;
- (II) biology;
- (III) technology development;
- (IV) engineering;
- (V) economics;
- (VI) business development and management; and

(VII) any other discipline, as the Secretary determines to be necessary to achieve the purposes of this paragraph.

(iii) DUTIES.—Subject to clause (iv), with respect to the prize competition, the Board shall—

- (I) select a topic;
- (II) issue a problem statement;
- (III) advise the Secretary regarding any opportunity for technological innovation to protect endangered species; and

(IV) advise winners of the prize competition regarding opportunities to pilot and implement winning technologies in relevant fields, including in partnership with conservation organizations, Federal or State agencies, federally recognized Indian tribes, private entities, and research institutions with expertise or interest relating to the protection of endangered species.

(iv) CONSULTATION.—In selecting a topic and issuing a problem statement for the prize competition under subclauses (I) and (II) of clause (iii), respectively, the Board shall consult widely with Federal and non-Federal stakeholders, including—

(I) 1 or more Federal agencies with jurisdiction over the protection of endangered species;

(II) 1 or more State agencies with jurisdiction over the protection of endangered species;

(III) 1 or more State, regional, or local wildlife organizations, the mission of which relates to the protection of endangered species; and

(IV) 1 or more wildlife conservation groups, technology companies, research institutions, institutions of higher education, industry associations, or individual stakeholders with an interest in the protection of endangered species.

(v) REQUIREMENTS.—The Board shall comply with all requirements under paragraph (7)(A).

(D) AGREEMENT WITH NATIONAL FISH AND WILDLIFE FOUNDATION.—

(i) IN GENERAL.—The Secretary shall offer to enter into an agreement under which the National Fish and Wildlife Foundation shall administer the prize competition.

(ii) REQUIREMENTS.—An agreement entered into under clause (i) shall comply with all requirements under paragraph (7)(B).

(E) JUDGES.—

(i) APPOINTMENT.—The Secretary shall appoint not fewer than 3 judges who shall, except as provided in clause (ii), select the 1 or more annual winners of the prize competition.

(ii) DETERMINATION BY SECRETARY.—The judges appointed under clause (i) shall not select any annual winner of the prize competition if the Secretary makes a determination that, in any fiscal year, none of the technological advancements entered into the prize competition merits an award.

(F) REPORT TO CONGRESS.—Not later than 60 days after the date on which a cash prize is awarded under this paragraph, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Natural Resources of the House of Representatives a report on the prize competition that includes—

(i) a statement by the Board that describes the activities carried out by the Board relating to the duties described in subparagraph (C)(iii);

(ii) if the Secretary has entered into an agreement under subparagraph (D)(i), a statement by the National Fish and Wildlife Foundation that describes the activities carried out by the National Fish and Wildlife Foundation relating to the duties described in paragraph (7)(B); and

(iii) a statement by 1 or more of the judges appointed under subparagraph (E) that explains the basis on which the winner of the cash prize was selected.

(G) TERMINATION OF AUTHORITY.—The Board and all authority provided under this paragraph shall terminate on December 31, 2023.

(6) THEODORE ROOSEVELT GENIUS PRIZE FOR NONLETHAL MANAGEMENT OF HUMAN-WILDLIFE CONFLICTS.—

(A) DEFINITIONS.—In this paragraph:

(i) BOARD.—The term “Board” means the Nonlethal Management of Human-Wildlife Conflicts Technology Advisory Board established by subparagraph (C)(i).

(ii) PRIZE COMPETITION.—The term “prize competition” means the Theodore Roosevelt Genius Prize for the nonlethal management of human-wildlife conflicts established under subparagraph (B).

(B) AUTHORITY.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish under section 24 of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3719) a prize competition, to be known as the “Theodore Roosevelt Genius Prize for the nonlethal management of human-wildlife conflicts”—

(i) to encourage technological innovation with the potential to advance the mission of the United States Fish and Wildlife Service with respect to the nonlethal management of human-wildlife conflicts; and

(ii) to award 1 or more prizes annually for a technological advancement that promotes the nonlethal management of human-wildlife conflicts.

(C) ADVISORY BOARD.—

(i) ESTABLISHMENT.—There is established an advisory board, to be known as the “Nonlethal Management of Human-Wildlife Conflicts Technology Advisory Board”.

(ii) COMPOSITION.—The Board shall be composed of not fewer than 9 members appointed by the Secretary, who shall provide expertise in—

- (I) nonlethal wildlife management;
- (II) social aspects of human-wildlife conflict management;
- (III) biology;
- (IV) technology development;
- (V) engineering;
- (VI) economics;
- (VII) business development and management; and

(VIII) any other discipline, as the Secretary determines to be necessary to achieve the purposes of this paragraph.

(iii) DUTIES.—Subject to clause (iv), with respect to the prize competition, the Board shall—

- (I) select a topic;
- (II) issue a problem statement;
- (III) advise the Secretary regarding any opportunity for technological innovation to promote the nonlethal management of human-wildlife conflicts; and

(IV) advise winners of the prize competition regarding opportunities to pilot and implement winning technologies in relevant fields, including in partnership with conservation organizations, Federal or State agencies, federally recognized Indian tribes, private entities, and research institutions with expertise or interest relating to the nonlethal management of human-wildlife conflicts.

(iv) CONSULTATION.—In selecting a topic and issuing a problem statement for the prize competition under subclauses (I) and (II) of subparagraph (C), respectively, the Board shall consult widely with Federal and non-Federal stakeholders, including—

(I) 1 or more Federal agencies with jurisdiction over the management of native wildlife species at risk due to conflict with human activities;

(II) 1 or more State agencies with jurisdiction over the management of native wildlife species at risk due to conflict with human activities;

(III) 1 or more State, regional, or local wildlife organizations, the mission of which relates to the management of native wildlife species at risk due to conflict with human activities; and

(IV) 1 or more wildlife conservation groups, technology companies, research institutions, institutions of higher education, industry associations, or individual stakeholders with an interest in the management of native wildlife species at risk due to conflict with human activities.

(v) REQUIREMENTS.—The Board shall comply with all requirements under paragraph (7)(A).

(D) AGREEMENT WITH NATIONAL FISH AND WILDLIFE FOUNDATION.—

(i) IN GENERAL.—The Secretary shall offer to enter into an agreement under which the National Fish and Wildlife Foundation shall administer the prize competition.

(ii) REQUIREMENTS.—An agreement entered into under clause (i) shall comply with all requirements under paragraph (7)(B).

(E) JUDGES.—

(i) APPOINTMENT.—The Secretary shall appoint not fewer than 3 judges who shall, except as provided in clause (ii), select the 1 or more annual winners of the prize competition.

(ii) DETERMINATION BY SECRETARY.—The judges appointed under clause (i) shall not select any annual winner of the prize competition if the Secretary makes a determination that, in any fiscal year, none of the technological advancements entered into the prize competition merits an award.

(F) REPORT TO CONGRESS.—Not later than 60 days after the date on which a cash prize is awarded under this paragraph, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Natural Resources of the House of Representatives a report on the prize competition that includes—

(i) a statement by the Board that describes the activities carried out by the Board relating to the duties described in subparagraph (C)(iii);

(ii) if the Secretary has entered into an agreement under subparagraph (D)(i), a statement by the National Fish and Wildlife Foundation that describes the activities carried out by the National Fish and Wildlife Foundation relating to the duties described in paragraph (7)(B); and

(iii) a statement by 1 or more of the judges appointed under subparagraph (E) that explains the basis on which the winner of the cash prize was selected.

(G) TERMINATION OF AUTHORITY.—The Board and all authority provided under this paragraph shall terminate on December 31, 2023.

(7) ADMINISTRATION OF PRIZE COMPETITIONS.—

(A) ADDITIONAL REQUIREMENTS FOR ADVISORY BOARDS.—An advisory board established under paragraph (2)(C)(i), (3)(C)(i), (4)(C)(i), (5)(C)(i), or (6)(C)(i) (referred to in this paragraph as a “Board”) shall comply with the following requirements:

(i) TERM; VACANCIES.—

(I) TERM.—A member of the Board shall serve for a term of 5 years.

(II) VACANCIES.—A vacancy on the Board—

(aa) shall not affect the powers of the Board; and

(bb) shall be filled in the same manner as the original appointment was made.

(ii) INITIAL MEETING.—Not later than 30 days after the date on which all members of the Board have been appointed, the Board shall hold the initial meeting of the Board.

(iii) MEETINGS.—

(I) IN GENERAL.—The Board shall meet at the call of the Chairperson.

(II) REMOTE PARTICIPATION.—

(aa) IN GENERAL.—Any member of the Board may participate in a meeting of the Board through the use of—

(AA) teleconferencing; or

(BB) any other remote business telecommunications method that allows each participating member to simultaneously hear each other participating member during the meeting.

(bb) PRESENCE.—A member of the Board who participates in a meeting remotely under item (aa) shall be considered to be present at the meeting.

(iv) QUORUM.—A majority of the members of the Board shall constitute a quorum, but a lesser number of members may hold a meeting.

(v) CHAIRPERSON AND VICE CHAIRPERSON.—The Board shall select a Chairperson and Vice Chairperson from among the members of the Board.

(vi) ADMINISTRATIVE COST REDUCTION.—The Board shall, to the maximum extent practicable, minimize the administrative costs of the Board, including by encouraging the remote participation described in clause (iii)(II)(aa) to reduce travel costs.

(B) AGREEMENTS WITH NATIONAL FISH AND WILDLIFE FOUNDATION.—Any agreement entered into under paragraph (2)(D)(i), (3)(D)(i), (4)(D)(i), (5)(D)(i), or (6)(D)(i) shall comply with the following requirements:

(i) DUTIES.—An agreement shall provide that the National Fish and Wildlife Foundation shall—

(I) advertise the prize competition;

(II) solicit prize competition participants;

(III) administer funds relating to the prize competition;

(IV) receive Federal funds—

(aa) to administer the prize competition; and

(bb) to award a cash prize;

(V) carry out activities to generate contributions of non-Federal funds to offset, in whole or in part—

(aa) the administrative costs of the prize competition; and

(bb) the costs of a cash prize;

(VI) in consultation with, and subject to final approval by, the Secretary, develop criteria for the selection of prize competition winners;

(VII) provide advice and consultation to the Secretary on the selection of judges under paragraphs (2)(E), (3)(E), (4)(E), (5)(E), and (6)(E) based on criteria developed in consultation with, and subject to the final approval of, the Secretary;

(VIII) announce 1 or more annual winners of the prize competition;

(IX) subject to clause (ii), award 1 cash prize annually; and

(X) protect against unauthorized use or disclosure by the National Fish and Wildlife Foundation of any trade secret or confidential business information of a prize competition participant.

(ii) ADDITIONAL CASH PRIZES.—An agreement shall provide that the National Fish and Wildlife Foundation may award more than 1 cash prize annually if the initial cash prize referred to in clause (i)(IX) and any additional cash prize are awarded using only non-Federal funds.

(iii) SOLICITATION OF FUNDS.—An agreement shall provide that the National Fish and Wildlife Foundation—

(I) may request and accept Federal funds and non-Federal funds for a cash prize;

(II) may accept a contribution for a cash prize in exchange for the right to name the prize; and

(III) shall not give special consideration to any Federal agency or non-Federal entity in exchange for a donation for a cash prize awarded under this subsection.

(C) AWARD AMOUNTS.—

(i) IN GENERAL.—The amount of the initial cash prize referred to in subparagraph (B)(i)(IX) shall be \$100,000.

(ii) ADDITIONAL CASH PRIZES.—On notification by the National Fish and Wildlife Foundation that non-Federal funds are available for an additional cash prize, the Secretary shall determine the amount of the additional cash prize.

#### **SEC. 7002. REAUTHORIZATION OF NEOTROPICAL MIGRATORY BIRD CONSERVATION ACT.**

Section 10 of the Neotropical Migratory Bird Conservation Act (16 U.S.C. 6109) is amended to read as follows:

##### **“SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

“(a) IN GENERAL.—There is authorized to be appropriated to carry out this Act \$6,500,000 for each of fiscal years 2019 through 2023.

“(b) USE OF FUNDS.—Of the amounts made available under subsection (a) for each fiscal year, not less than 75 percent shall be expended for projects carried out at a location outside of the United States.”

#### **SEC. 7003. JOHN H. CHAFEE COASTAL BARRIER RESOURCES SYSTEM.**

(a) REPLACEMENT OF JOHN H. CHAFEE COASTAL BARRIER RESOURCES SYSTEM MAPS.—

(1) IN GENERAL.—Subject to paragraph (3), each map included in the set of maps referred to in section 4(a) of the Coastal Barrier Resources Act (16 U.S.C. 3503(a)) that relates to a Unit of such System referred to in paragraph (2) is replaced in such set with the map described in that paragraph with respect to that Unit.

(2) REPLACEMENT MAPS DESCRIBED.—The replacement maps referred to in paragraph (1) are the following:

(A) The map entitled “Delaware Seashore Unit DE-07/DE-07P North Bethany Beach Unit H01” and dated March 18, 2016, with respect to Unit DE-07, Unit DE-07P, and Unit H01.

(B) The map entitled “Pine Island Bay Unit NC-01/NC-01P” and dated March 18, 2016, with respect to Unit NC-01 and Unit NC-01P.

(C) The map entitled “Roosevelt Natural Area Unit NC-05P” and dated March 18, 2016, with respect to Unit NC-05P.

(D) The map entitled “Hammocks Beach Unit NC-06/NC-06P (2 of 2) Onslow Beach Complex L05 (1 of 2)” and dated March 18, 2016, with respect to Unit L05.

(E) The map entitled “Onslow Beach Complex L05 (2 of 2) Topsail Unit L06 (1 of 2)” and dated November 20, 2013, with respect to Unit L05 and Unit L06.

(F) The map entitled “Topsail Unit L06 (2 of 2)” and dated November 20, 2013, with respect to Unit L06.

(G) The map entitled “Litchfield Beach Unit M02 Pawleys Inlet Unit M03” and dated March 18, 2016, with respect to Unit M02 and Unit M03.

(H) The map entitled “Fort Clinch Unit FL-01/FL-01P” and dated March 18, 2016, with respect to Unit FL-01 and Unit FL-01P.

(I) The map entitled “Usina Beach Unit P04A Conch Island Unit P05/P05P” and dated March 18, 2016, with respect to Unit P04A, Unit P05, and Unit P05P.

(J) The map entitled “Ponce Inlet Unit P08/P08P” and dated March 18, 2016, with respect to Unit P08 and Unit P08P.

(K) The map entitled “Spessard Holland Park Unit FL-13P Coconut Point Unit P09A/P09AP” and dated March 18, 2016, with respect to Unit FL-13P, Unit P09A, and Unit P09AP.

(L) The map entitled “Blue Hole Unit P10A Pepper Beach Unit FL-14P” and dated March 18, 2016, with respect to Unit P10A and Unit FL-14P.

(M) The map entitled “Hutchinson Island Unit P11/P11P (1 of 2)” and dated March 18, 2016, with respect to Unit P11 and Unit P11P.

(N) The map entitled “Hutchinson Island Unit P11 (2 of 2)” and dated March 18, 2016, with respect to Unit P11.

(O) The map entitled “Blowing Rocks Unit FL-15 Jupiter Beach Unit FL-16P Carlin Unit FL-17P” and dated March 18, 2016, with respect to Unit FL-15, Unit FL-16P, and Unit FL-17P.

(P) The map entitled “MacArthur Beach Unit FL-18P” and dated March 18, 2016, with respect to Unit FL-18P.

(Q) The map entitled “Birch Park Unit FL-19P” and dated March 18, 2016, with respect to Unit FL-19P.

(R) The map entitled “Lloyd Beach Unit FL-20P North Beach Unit P14A” and dated March 18, 2016, with respect to Unit FL-20P and Unit P14A.

(S) The map entitled “Tavernier Key Unit FL-39 Snake Creek Unit FL-40” and dated March 18, 2016, with respect to Unit FL-39 and Unit FL-40.

(T) The map entitled “Channel Key Unit FL-43 Toms Harbor Keys Unit FL-44 Deer/Long Point Keys Unit FL-45” and dated March 18, 2016, with respect to Unit FL-43, Unit FL-44, and FL-45.

(U) The map entitled “Boot Key Unit FL-46” and dated March 18, 2016, with respect to Unit FL-46.

(V) The map entitled “Bowditch Point Unit P17A Bunche Beach Unit FL-67/FL-67P Sanibel Island Complex P18P (1 of 2)” and dated March 18, 2016, with respect to Unit P17A, Unit FL-67, and Unit FL-67P.

(W) The map entitled “Bocilla Island Unit P21/P21P” and dated March 18, 2016, with respect to Unit P21 and Unit P21P.

(X) The map entitled “Venice Inlet Unit FL-71P Casey Key Unit P22” and dated March 18, 2016, with respect to Unit P22.

(Y) The map entitled “Lido Key Unit FL-72P” and dated March 18, 2016, with respect to Unit FL-72P.

(Z) The map entitled “De Soto Unit FL-73P Rattlesnake Key Unit FL-78 Bishop Harbor Unit FL-82” and dated March 18, 2016, with respect to Unit FL-73P, Unit FL-78, and Unit FL-82.

(AA) The map entitled “Passage Key Unit FL-80P Egmont Key Unit FL-81/FL-81P The Reefs Unit P24P (1 of 2)” and dated March 18, 2016, with respect to Unit FL-80P, Unit FL-81, and Unit FL-81P.

(BB) The map entitled “Cockroach Bay Unit FL-83” and dated March 18, 2016, with respect to Unit FL-83.

(CC) The map entitled “Sand Key Unit FL-85P” and dated March 18, 2016, with respect to Unit FL-85P.

(DD) The map entitled “Pepperfish Keys Unit P26” and dated March 18, 2016, with respect to Unit P26.

(EE) The map entitled “Peninsula Point Unit FL-89” and dated March 18, 2016, with respect to Unit FL-89.

(FF) The map entitled “Phillips Inlet Unit FL-93/FL-93P Deer Lake Complex FL-94” and dated March 18, 2016, with respect to Unit FL-93, Unit FL-93P, and Unit FL-94.

(GG) The map entitled “St. Andrew Complex P31 (1 of 3)” and dated October 7, 2016, with respect to Unit P31.

(HH) The map entitled “St. Andrew Complex P31 (2 of 3)” and dated October 7, 2016, with respect to Unit P31.

(II) The map entitled “St. Andrew Complex P31/P31P (3 of 3)” and dated October 7, 2016, with respect to Unit P31 and Unit P31P.

(3) LIMITATIONS.—For purposes of paragraph (1)—

(A) nothing in this subsection affects the boundaries of any of Units NC-06 and NC-06P;

(B) the occurrence in paragraph (2) of the name of a Unit solely in the title of a map shall not be construed to be a reference to such Unit; and

(C) the depiction of boundaries of any of Units P18P, FL-71P, and P24P in a map referred to in subparagraph (V), (X), or (AA) of paragraph (2) shall not be construed to affect the boundaries of such Unit.

(4) CONFORMING AMENDMENT.—Section 4(a) of the Coastal Barrier Resources Act (16 U.S.C. 3503(a)) is amended—

(A) in the matter preceding paragraph (1), by inserting “replaced,” after “may be”; and

(B) in paragraph (3), by inserting “replaces such a map or” after “that specifically”.

(b) DIGITAL MAPS OF JOHN H. CHAFEE COASTAL BARRIER RESOURCES SYSTEM UNITS.—Section 4(b) of the Coastal Barrier Resources Act (16 U.S.C. 3503(b)) is amended—

(1) by inserting before the first sentence the following:

“(1) IN GENERAL.—”; and

(2) by adding at the end the following:

“(2) DIGITAL MAPS.—

“(A) AVAILABILITY.—The Secretary shall make available to the public on the Internet web site of the United States Fish and Wildlife Service digital versions of the maps included in the set of maps referred to in subsection (a).

“(B) EFFECT.—Any determination as to whether a location is inside or outside the System shall be made without regard to the digital maps available under this paragraph, except that this subparagraph does not apply with respect to any printed version of such a digital map if the printed version is included in the maps referred to in subsection (a).

“(C) REPORT.—No later than 180 days after the date of the enactment of Natural Resources Management Act, the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Environment and Public Works of the Senate a report regarding the progress and challenges in the transition from paper to digital maps and a timetable for completion of the digitization of all maps related to the System.”

(c) REPEAL OF REPORT.—Section 3 of Public Law 109-226 (16 U.S.C. 3503 note) is repealed.

## TITLE VIII—WATER AND POWER

### Subtitle A—Reclamation Title Transfer

#### SEC. 8001. PURPOSE.

The purpose of this subtitle is to facilitate the transfer of title to Reclamation project facilities to qualifying entities on the completion of repayment of capital costs.

#### SEC. 8002. DEFINITIONS.

In this subtitle:

(1) CONVEYED PROPERTY.—The term “conveyed property” means an eligible facility that has been conveyed to a qualifying entity under section 8003.

(2) ELIGIBLE FACILITY.—The term “eligible facility” means a facility that meets the criteria for potential transfer established under section 8004(a).

(3) FACILITY.—

(A) IN GENERAL.—The term “facility” includes a dam or appurtenant works, canal, lateral, ditch, gate, control structure, pumping station, other infrastructure, recreational facility, building, distribution and drainage works, and associated land or interest in land or water.

(B) EXCLUSIONS.—The term “facility” does not include a Reclamation project facility, or a portion of a Reclamation project facility—

(i) that is a reserved works as of the date of enactment of this Act;

(ii) that generates hydropower marketed by a Federal power marketing administration; or

(iii) that is managed for recreation under a lease, permit, license, or other management agreement that does contribute to capital repayment.

(4) PROJECT USE POWER.—The term “project use power” means the electrical capacity, energy, and associated ancillary service components required to provide the minimum electrical service needed to operate or maintain Reclamation project facilities in accordance with the authorization for the Reclamation project.

(5) QUALIFYING ENTITY.—The term “qualifying entity” means an agency of a State or political subdivision of a State, a joint action or powers agency, a water users association, or an Indian Tribe or Tribal utility authority that—

(A) as of the date of conveyance under this subtitle, is the current operator of the eligible facility pursuant to a contract with Reclamation; and

(B) as determined by the Secretary, has the capacity to continue to manage the eligible facility for the same purposes for which the property has been managed under the reclamation laws.

(6) RECLAMATION.—The term “Reclamation” means the Bureau of Reclamation.

(7) RECLAMATION PROJECT.—The term “Reclamation project” means—

(A) any reclamation or irrigation project, including incidental features of the project—

(i) that is authorized by the reclamation laws;

(ii) that is constructed by the United States pursuant to the reclamation laws; or

(iii) in connection with which there is a repayment or water service contract executed by the United States pursuant to the reclamation laws; or

(B) any project constructed by the Secretary for the reclamation of land.

(8) RESERVED WORKS.—The term “reserved works” means any building, structure, facility, or equipment—

(A) that is owned by the Bureau; and

(B) for which operations and maintenance are performed, regardless of the source of funding—

(i) by an employee of the Bureau; or

(ii) through a contract entered into by the Commissioner.

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

#### SEC. 8003. AUTHORIZATION OF TRANSFERS OF TITLE TO ELIGIBLE FACILITIES.

(a) AUTHORIZATION.—

(1) IN GENERAL.—Subject to the requirements of this subtitle, the Secretary, with-

out further authorization from Congress, may, on application of a qualifying entity, convey to a qualifying entity all right, title, and interest of the United States in and to any eligible facility, if—

(A) not later than 90 days before the date on which the Secretary makes the conveyance, the Secretary submits to Congress—

(i) a written notice of the proposed conveyance; and

(ii) a description of the reasons for the conveyance; and

(B) a joint resolution disapproving the conveyance is not enacted before the date on which the Secretary makes the conveyance.

(2) CONSULTATION.—A conveyance under paragraph (1) shall be made by written agreement between the Secretary and the qualifying entity, developed in consultation with any existing water and power customers affected by the conveyance of the eligible facility.

(b) RESERVATION OF EASEMENT.—The Secretary may reserve an easement over a conveyed property if—

(1) the Secretary determines that the easement is necessary for the management of any interests retained by the Federal Government under this subtitle;

(2) the Reclamation project or a portion of the Reclamation project remains under Federal ownership; and

(3) the Secretary enters into an agreement regarding the easement with the applicable qualifying entity.

(c) INTERESTS IN WATER.—No interests in water shall be conveyed under this subtitle unless the conveyance is provided for in a separate, quantified agreement between the Secretary and the qualifying entity, subject to applicable State law and public process requirements.

#### SEC. 8004. ELIGIBILITY CRITERIA.

(a) ESTABLISHMENT.—The Secretary shall establish criteria for determining whether a facility is eligible for conveyance under this subtitle.

(b) MINIMUM REQUIREMENTS.—

(1) AGREEMENT OF QUALIFYING ENTITY.—The criteria established under subsection (a) shall include a requirement that a qualifying entity shall agree—

(A) to accept title to the eligible facility;

(B) to use the eligible facility for substantially the same purposes for which the eligible facility is being used at the time the Secretary evaluates the potential transfer; and

(C) to provide, as consideration for the assets to be conveyed, compensation to the reclamation fund established by the first section of the Act of June 17, 1902 (32 Stat. 388, chapter 1093), in an amount that is the equivalent of the net present value of any repayment obligation to the United States or other income stream that the United States derives from the eligible facility to be transferred, as of the date of the transfer.

(2) DETERMINATIONS OF SECRETARY.—The criteria established under subsection (a) shall include a requirement that the Secretary shall—

(A) be able to enter into an agreement with the qualifying entity with respect to the legal, institutional, and financial arrangements relating to the conveyance;

(B) determine that the proposed transfer—

(i) would not have an unmitigated significant effect on the environment;

(ii) is consistent with the responsibilities of the Secretary—

(I) in the role as trustee for federally recognized Indian Tribes; and

(II) to ensure compliance with any applicable international and Tribal treaties and agreements and interstate compacts and agreements;

(iii) is in the financial interest of the United States;



(iv) protects the public aspects of the eligible facility, including water rights managed for public purposes, such as flood control or fish and wildlife;

(v) complies with all applicable Federal and State law; and

(vi) will not result in an adverse impact on fulfillment of existing water delivery obligations consistent with historical operations and applicable contracts; and

(C) if the eligible facility proposed to be transferred is a dam or diversion works (not including canals or other project features that receive or convey water from the diverting works) diverting water from a water body containing a species listed as a threatened species or an endangered species or critical habitat under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), determine that—

(i) the eligible facility continues to comply with the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) in a manner that provides no less protection to the listed species as existed under Federal ownership; and

(ii) the eligible facility is not part of the Central Valley Project in the State of California.

(3) STATUS OF RECLAMATION LAND.—The criteria established under subsection (a) shall require that any land to be conveyed out of Federal ownership under this subtitle is—

(A) land acquired by the Secretary; or

(B) land withdrawn by the Secretary, only if—

(i) the Secretary determines in writing that the withdrawn land is encumbered by facilities to the extent that the withdrawn land is unsuitable for return to the public domain; and

(ii) the qualifying entity agrees to pay fair market value based on historical or existing uses for the withdrawn land to be conveyed.

(c) HOLD HARMLESS.—No conveyance under this subtitle shall adversely impact applicable Federal power rates, repayment obligations, or other project power uses.

#### SEC. 8005. LIABILITY.

(a) IN GENERAL.—Effective on the date of conveyance of any eligible facility under this subtitle, the United States shall not be held liable by any court for damages of any kind arising out of any act, omission, or occurrence relating to the eligible facility, other than damages caused by acts of negligence committed by the United States or by agents or employees of the United States prior to the date of the conveyance.

(b) EFFECT.—Nothing in this section increases the liability of the United States beyond that currently provided in chapter 171 of title 28, United States Code (commonly known as the “Federal Tort Claims Act”).

#### SEC. 8006. BENEFITS.

After a conveyance of an eligible facility under this subtitle—

(1) the conveyed property shall no longer be considered to be part of a Reclamation project;

(2) except as provided in paragraph (3), the qualifying entity to which the conveyed property is conveyed shall not be eligible to receive any benefits, including project use power, with respect to the conveyed property, except for any benefit that would be available to a similarly situated entity with respect to property that is not a part of a Reclamation project; and

(3) the qualifying entity to which the conveyed property is conveyed may be eligible to receive project use power if—

(A) the qualifying entity is receiving project use power as of the date of enactment of this Act;

(B) the project use power will be used for the delivery of Reclamation project water; and

(C) the Secretary and the qualifying entity enter into an agreement under which the qualifying entity agrees to continue to be responsible for a proportionate share of operation and maintenance and capital costs for the Federal facilities that generate and deliver, if applicable, power used for delivery of Reclamation project water after the date of conveyance, in accordance with Reclamation project use power rates.

#### SEC. 8007. COMPLIANCE WITH OTHER LAWS.

(a) IN GENERAL.—Before conveying an eligible facility under this subtitle, the Secretary shall comply with all applicable Federal environmental laws, including—

(1) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(2) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and

(3) subtitle III of title 54, United States Code.

(b) SENSE OF CONGRESS.—It is the sense of Congress that any Federal permitting and review processes required with respect to a conveyance of an eligible facility under this subtitle should be completed with the maximum efficiency and effectiveness.

#### Subtitle B—Endangered Fish Recovery Programs

#### SEC. 8101. EXTENSION OF AUTHORIZATION FOR ANNUAL BASE FUNDING OF FISH RECOVERY PROGRAMS; REMOVAL OF CERTAIN REPORTING REQUIREMENT.

Section 3(d) of Public Law 106-392 (114 Stat. 1604; 126 Stat. 2444) is amended—

(1) by striking paragraph (1) and inserting the following:

“(1) AUTHORIZATION OF APPROPRIATIONS.—

“(A) IN GENERAL.—There is authorized to be appropriated to the Secretary to be used by the Bureau of Reclamation to make the annual base funding contributions to the Recovery Implementation Programs \$10,000,000 for each of fiscal years 2020 through 2023.

“(B) NONREIMBURSABLE FUNDS.—The funds contributed to the Recovery Implementation Programs under subparagraph (A) shall be considered a nonreimbursable Federal expenditure.”; and

(2) in paragraph (2), by striking the fourth, fifth, sixth, and seventh sentences.

#### SEC. 8102. REPORT ON RECOVERY IMPLEMENTATION PROGRAMS.

Section 3 of Public Law 106-392 (114 Stat. 1603; 126 Stat. 2444) is amended by adding at the end the following:

“(j) REPORT.—

“(1) IN GENERAL.—Not later than September 30, 2021, the Secretary shall submit to the appropriate committees of Congress a report that—

“(A) describes the accomplishments of the Recovery Implementation Programs;

“(B) identifies—

“(i) as of the date of the report, the listing status under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) of the Colorado pikeminnow, humpback chub, razorback sucker, and bonytail; and

“(ii) as of September 30, 2023, the projected listing status under that Act of each of the species referred to in clause (i);

“(C)(i) identifies—

“(I) the total expenditures and the expenditures by categories of activities by the Recovery Implementation Programs during the period beginning on the date on which the applicable Recovery Implementation Program was established and ending on September 30, 2021; and

“(II) projected expenditures by the Recovery Implementation Programs during the period beginning on October 1, 2021, and ending on September 30, 2023; and

“(ii) for purposes of the expenditures identified under clause (i), includes a description of—

“(I) any expenditures of appropriated funds;

“(II) any power revenues;

“(III) any contributions by the States, power customers, Tribes, water users, and environmental organizations; and

“(IV) any other sources of funds for the Recovery Implementation Programs; and

“(D) describes—

“(i) any activities to be carried out under the Recovery Implementation Program after September 30, 2023; and

“(ii) the projected cost of the activities described under clause (i).

“(2) CONSULTATION REQUIRED.—The Secretary shall consult with the participants in the Recovery Implementation Programs in preparing the report under paragraph (1).”.

#### Subtitle C—Yakima River Basin Water Enhancement Project

#### SEC. 8201. AUTHORIZATION OF PHASE III.

(a) DEFINITIONS.—In this section:

(1) INTEGRATED PLAN.—The term “Integrated Plan” means the Yakima River Basin Integrated Water Resource Management Plan, the Federal elements of which are known as “phase III of the Yakima River Basin Water Enhancement Project”, as described in the Bureau of Reclamation document entitled “Record of Decision for the Yakima River Basin Integrated Water Resource Management Plan Final Programmatic Environmental Impact Statement” and dated March 2, 2012.

(2) IRRIGATION ENTITY.—The term “irrigation entity” means a district, project, or State-recognized authority, board of control, agency, or entity located in the Yakima River basin that manages and delivers irrigation water to farms in the Yakima River basin.

(3) PRORATABLE IRRIGATION ENTITY.—The term “proratable irrigation entity” means an irrigation entity that possesses, or the members of which possess, proratable water (as defined in section 1202 of Public Law 103-434 (108 Stat. 4551)).

(4) STATE.—The term “State” means the State of Washington.

(5) TOTAL WATER SUPPLY AVAILABLE.—The term “total water supply available” has the meaning given the term in applicable civil actions, as determined by the Secretary.

(6) YAKIMA RIVER BASIN WATER ENHANCEMENT PROJECT.—The term “Yakima River Basin Water Enhancement Project” means the Yakima River basin water enhancement project authorized by Congress pursuant to title XII of Public Law 103-434 (108 Stat. 4550; 114 Stat. 1425) and other Acts (including Public Law 96-162 (93 Stat. 1241), section 109 of Public Law 98-381 (16 U.S.C. 839b note), and Public Law 105-62 (111 Stat. 1320)) to promote water conservation, water supply, habitat, and stream enhancement improvements in the Yakima River basin.

(b) INTEGRATED PLAN.—

(1) INITIAL DEVELOPMENT PHASE.—

(A) IN GENERAL.—As the initial development phase of the Integrated Plan, the Secretary, in coordination with the State and the Yakama Nation, shall identify and implement projects under the Integrated Plan that are prepared to be commenced during the 10-year period beginning on the date of enactment of this Act.

(B) REQUIREMENT.—The initial development phase of the Integrated Plan under subparagraph (A) shall be carried out in accordance with—

(i) this subsection, including any related plans, reports, and correspondence referred to in this subsection; and

(ii) title XII of Public Law 103-434 (108 Stat. 4550; 114 Stat. 1425).

(2) INTERMEDIATE AND FINAL DEVELOPMENT PHASES.—

(A) PLANS.—The Secretary, in coordination with the State and the Yakama Nation, shall develop plans for the intermediate and final development phases of the Integrated Plan to achieve the purposes of title XII of Public Law 103-434 (108 Stat. 4550; 114 Stat. 1425), including conducting applicable feasibility studies, environmental reviews, and other relevant studies required to develop those plans.

(B) INTERMEDIATE DEVELOPMENT PHASE.—The Secretary, in coordination with the State and the Yakama Nation, shall develop an intermediate development phase of the Integrated Plan, to commence not earlier than the date that is 10 years after the date of enactment of this Act.

(C) FINAL DEVELOPMENT PHASE.—The Secretary, in coordination with the State and the Yakama Nation, shall develop a final development phase of the Integrated Plan, to commence not earlier than the date that is 20 years after the date of enactment of this Act.

(3) REQUIREMENTS.—The projects and activities identified by the Secretary for implementation under the Integrated Plan shall be carried out only—

(A) subject to authorization and appropriation;

(B) contingent on the completion of applicable feasibility studies, environmental reviews, and cost-benefit analyses that include favorable recommendations for further project development;

(C) on public review and a determination by the Secretary that design, construction, and operation of a proposed project or activity is in the best interest of the public; and

(D) in accordance with applicable laws, including—

(i) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(ii) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

(4) EFFECT OF SUBSECTION.—Nothing in this subsection—

(A) shall be considered to be a new or supplemental benefit for purposes of the Reclamation Reform Act of 1982 (43 U.S.C. 390aa et seq.);

(B) affects—

(i) any contract in existence on the date of enactment of this Act that was executed pursuant to the reclamation laws; or

(ii) any contract or agreement between the Bureau of Indian Affairs and the Bureau of Reclamation;

(C) affects, waives, abrogates, diminishes, defines, or interprets any treaty between the Yakama Nation and the United States; or

(D) constrains the authority of the Secretary to provide fish passage in the Yakima River basin, in accordance with the Hoover Power Plant Act of 1984 (43 U.S.C. 619 et seq.).

(5) PROGRESS REPORT.—Not later than 5 years after the date of enactment of this Act, the Secretary, in conjunction with the State and in consultation with the Yakama Nation, shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a progress report on the development and implementation of the Integrated Plan.

(C) FINANCING, CONSTRUCTION, OPERATION, AND MAINTENANCE OF KACHESS DROUGHT RELIEF PUMPING PLANT AND KEECHELUS TO KACHESS PIPELINE.—

(1) LONG-TERM AGREEMENTS.—

(A) IN GENERAL.—A long-term agreement negotiated pursuant to this section or the reclamation laws between the Secretary and a participating prorateable irrigation entity in the Yakima River basin for the non-Federal financing, construction, operation, or maintenance of the Drought Relief Pumping

Plant or the Keechelus to Kachess Pipeline shall include provisions regarding—

(i) responsibilities of each participating prorateable irrigation entity for—

(I) the planning, design, and construction of infrastructure, in consultation and coordination with the Secretary; and

(II) the pumping and operational costs necessary to provide the total water supply available that is made inaccessible due to drought pumping during any preceding calendar year, if the Kachess Reservoir fails to refill as a result of pumping drought storage water during such a calendar year;

(ii) property titles and responsibilities of each participating prorateable irrigation entity for the maintenance of, and liability for, all infrastructure constructed under title XII of Public Law 103-434 (108 Stat. 4550; 114 Stat. 1425);

(iii) operation and integration of the projects by the Secretary in the operation of the Yakima Project; and

(iv) costs associated with the design, financing, construction, operation, maintenance, and mitigation of projects, with the costs of Federal oversight and review to be nonreimbursable to the participating prorateable irrigation entities and the Yakima Project.

(B) TREATMENT.—A facility developed or operated by a participating prorateable irrigation entity under this subsection shall not be considered to be a supplemental work for purposes of section 9(a) of the Reclamation Project Act of 1939 (43 U.S.C. 485h(a)).

(2) KACHESS RESERVOIR.—

(A) IN GENERAL.—Any additional stored water made available by the construction of a facility to access and deliver inactive and natural storage in Kachess Lake and Reservoir under this subsection—

(i) shall be considered to be Yakima Project water;

(ii) shall be used exclusively by the Secretary to enhance the water supply during years for which the total water supply available is not sufficient to provide a percentage of prorateable entitlements in order to make that additional water available, in a quantity representing not more than 70 percent of prorateable entitlements to the Kittitas Reclamation District, the Roza Irrigation District, or any other prorateable irrigation entity participating in the construction, operation, or maintenance costs of a facility under this section, in accordance with such terms and conditions as the districts may agree, subject to the conditions that—

(I) the Bureau of Indian Affairs, the Wapato Irrigation Project, and the Yakama Nation, on an election to participate, may also obtain water from Kachess Reservoir inactive storage to enhance applicable existing irrigation water supply in accordance with such terms and conditions as the Bureau of Indian Affairs and the Yakama Nation may agree; and

(II) the additional supply made available under this clause shall be available to participating individuals and entities based on—

(aa) the proportion that—

(AA) the prorateable entitlement of each participating individual or entity; bears to

(BB) the prorateable entitlements of all participating individuals and entities; or

(bb) such other proportion as the participating entities may agree; and

(iii) shall not be any portion of the total water supply available.

(B) EFFECT OF PARAGRAPH.—Nothing in this paragraph affects, as in existence on the date of enactment of this Act, any—

(i) contract;

(ii) law (including regulations) relating to repayment costs;

(iii) water rights; or

(iv) treaty right of the Yakama Nation.

(3) PROJECT POWER FOR KACHESS PUMPING PLANT.—

(A) IN GENERAL.—Subject to subparagraphs (B) through (D), the Administrator of the Bonneville Power Administration, pursuant to the Pacific Northwest Electric Power Planning and Conservation Act (16 U.S.C. 839 et seq.), shall provide to the Secretary project power to operate the Kachess Pumping Plant constructed under this section if inactive storage in the Kachess Reservoir is needed to provide drought relief for irrigation.

(B) DETERMINATIONS BY SECRETARY.—The project power described in subparagraph (A) may be provided only if the Secretary determines that—

(i) there are in effect—

(I) a drought declaration issued by the State; and

(II) conditions that have led to 70 percent or lower water delivery to prorateable irrigation districts; and

(ii) it is appropriate to provide the power under that subparagraph.

(C) PERIOD OF AVAILABILITY.—The power described in subparagraph (A) shall be provided during the period—

(i) beginning on the date on which the Secretary makes the determinations described in subparagraph (B); and

(ii) ending on the earlier of—

(I) the date that is 1 year after that date; and

(II) the date on which the Secretary determines that—

(aa) drought mitigation measures are still necessary in the Yakima River basin; or

(bb) the power should no longer be provided for any other reason.

(D) RATE.—

(i) IN GENERAL.—The Administrator of the Bonneville Power Administration shall provide project power under subparagraph (A) at the then-applicable lowest Bonneville Power Administration rate for public body, cooperative, and Federal agency customer firm obligations on the date on which the authority is provided.

(ii) NO DISCOUNTS.—The rate under clause

(i) shall not include any irrigation discount.

(E) LOCAL PROVIDER.—During any period for which project power is not provided under subparagraph (A), the Secretary shall obtain power to operate the Kachess Pumping Plant from a local provider.

(F) OTHER COSTS.—The cost of power for pumping and station service, and the costs of transmitting power from the Federal Columbia River power system to the pumping facilities of the Yakima River Basin Water Enhancement Project, shall be borne by the irrigation districts receiving the benefits of the applicable water.

(G) DUTIES OF COMMISSIONER.—For purposes of this paragraph, the Commissioner of Reclamation shall arrange transmission for any delivery of—

(i) Federal power over the Bonneville system through applicable tariff and business practice processes of that system; or

(ii) power obtained from any local provider.

(d) DESIGN AND USE OF GROUNDWATER RECHARGE PROJECTS.—The Secretary, in coordination with the State and the Yakama Nation, may provide technical assistance for, participate in, and enter into agreements, including with irrigation entities for the use of excess conveyance capacity in Yakima River Basin Water Enhancement Project facilities, for—

(1) groundwater recharge projects; and

(2) aquifer storage and recovery projects.

(e) OPERATIONAL CONTROL OF WATER SUPPLIES.—

(1) IN GENERAL.—The Secretary shall retain authority and discretion over the management of Yakima River Basin Water Enhancement Project supplies—

(A) to optimize operational use and flexibility; and

(B) to ensure compliance with all applicable Federal and State laws, treaty rights of the Yakama Nation, and legal obligations, including those under title XII of Public Law 103-434 (108 Stat. 4550; 114 Stat. 1425).

(2) INCLUSION.—The authority and discretion described in paragraph (1) shall include the ability of the United States to store, deliver, conserve, and reuse water supplies deriving from projects authorized under title XII of Public Law 103-434 (108 Stat. 4550; 114 Stat. 1425).

(f) COOPERATIVE AGREEMENTS AND GRANTS.—The Secretary may enter into cooperative agreements and make grants to carry out this section, including for the purposes of land and water transfers, leases, and acquisitions from willing participants, subject to the condition that the acquiring entity shall hold title to, and be responsible for, all required operation, maintenance, and management of the acquired land or water during any period in which the acquiring entity holds title to the acquired land.

(g) WATER CONSERVATION PROJECTS.—The Secretary may participate in, provide funding for, and accept non-Federal financing for water conservation projects, regardless of whether the projects are in accordance with the Yakima River Basin Water Conservation Program established under section 1203 of Public Law 103-434 (108 Stat. 4551), that are intended to partially implement the Integrated Plan by providing conserved water to improve tributary and mainstem stream flow.

(h) INDIAN IRRIGATION PROJECTS.—

(1) IN GENERAL.—The Secretary, acting through the Commissioner of Reclamation, may contribute funds for the preparation of plans and investigation measures, and, after the date on which the Secretary certifies that the measures are consistent with the water conservation objectives of this section, to any Indian irrigation project—

(A) that is located in the Pacific Northwest Region;

(B) that is identified in the report of the Government Accountability Office numbered GAO-15-453T;

(C) that has been identified as part of a Bureau of Reclamation basin study pursuant to subtitle F of title IX of Public Law 111-11 (42 U.S.C. 10361 et seq.) to increase water supply for the Pacific Northwest Region; and

(D) an improvement to which would contribute to the flow of interstate water.

(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection \$75,000,000.

#### SEC. 8202. MODIFICATION OF PURPOSES AND DEFINITIONS.

(a) PURPOSES.—Section 1201 of Public Law 103-434 (108 Stat. 4550) is amended—

(1) by striking paragraph (1) and inserting the following:

“(1) to protect, mitigate, and enhance fish and wildlife and the recovery and maintenance of self-sustaining harvestable populations of fish and other aquatic life, both anadromous and resident species, throughout their historic distribution range in the Yakima Basin through—

“(A) improved water management and the constructions of fish passage at storage and diversion dams, as authorized under the Hoover Power Plant Act of 1984 (43 U.S.C. 619 et seq.);

“(B) improved instream flows and water supplies;

“(C) improved water quality, watershed, and ecosystem function;

“(D) protection, creation, and enhancement of wetlands; and

“(E) other appropriate means of habitat improvement;”;

(2) in paragraph (2), by inserting “, municipal, industrial, and domestic water supply and use purposes, especially during drought years, including reducing the frequency and severity of water supply shortages for proratable irrigation entities” before the semicolon at the end;

(3) by striking paragraph (4);

(4) by redesignating paragraph (3) as paragraph (4);

(5) by inserting after paragraph (2) the following:

“(3) to authorize the Secretary to make water available for purchase or lease for meeting municipal, industrial, and domestic water supply purposes;”;

(6) by redesignating paragraphs (5) and (6) as paragraphs (6) and (8), respectively;

(7) by inserting after paragraph (4) (as redesignated by paragraph (4)) the following:

“(5) to realize sufficient water savings from implementing the Yakima River Basin Integrated Water Resource Management Plan, so that not less than 85,000 acre feet of water savings are achieved by implementing the initial development phase of the Integrated Plan pursuant to section 8201(b)(1) of the Natural Resources Management Act, in addition to the 165,000 acre-feet of water savings targeted through the Basin Conservation Program, as authorized on October 31, 1994;”;

(8) in paragraph (6) (as redesignated by paragraph (6))—

(A) by inserting “an increase in” before “voluntary”; and

(B) by striking “and” at the end;

(9) by inserting after paragraph (6) (as so redesignated) the following:

“(7) to encourage an increase in the use of, and reduce the barriers to, water transfers, leasing, markets, and other voluntary transactions among public and private entities to enhance water management in the Yakima River basin;”;

(10) in paragraph (8) (as so redesignated), by striking the period at the end and inserting “; and”; and

(11) by adding at the end the following:

“(9) to improve the resilience of the ecosystems, economies, and communities in the Yakima River basin facing drought, hydrologic changes, and other related changes and variability in natural and human systems, for the benefit of the people, fish, and wildlife of the region.”.

(b) DEFINITIONS.—Section 1202 of Public Law 103-434 (108 Stat. 4550) is amended—

(1) by redesignating paragraphs (6), (7), (8), (9), (10), (11), (12), (13), and (14) as paragraphs (8), (10), (11), (12), (13), (14), (15), (17), and (18), respectively;

(2) by inserting after paragraph (5) the following:

“(6) DESIGNATED FEDERAL OFFICIAL.—The term ‘designated Federal official’ means the Commissioner of Reclamation (or a designee), acting pursuant to the charter of the Conservation Advisory Group.

“(7) INTEGRATED PLAN.—The term ‘Integrated Plan’ has the meaning given the term in section 8201(a) of the Natural Resources Management Act, to be carried out in cooperation with, and in addition to, activities of the State of Washington and the Yakama Nation.”;

(3) by inserting after paragraph (8) (as redesignated by paragraph (1)) the following:

“(9) MUNICIPAL, INDUSTRIAL, AND DOMESTIC WATER SUPPLY AND USE.—The term ‘municipal, industrial, and domestic water supply and use’ means the supply and use of water for—

“(A) domestic consumption (whether urban or rural);

“(B) maintenance and protection of public health and safety;

“(C) manufacture, fabrication, processing, assembly, or other production of a good or commodity;

“(D) production of energy;

“(E) fish hatcheries; or

“(F) water conservation activities relating to a use described in subparagraphs (A) through (E).”; and

(4) by inserting after paragraph (15) (as so redesignated) the following:

“(16) YAKIMA ENHANCEMENT PROJECT; YAKIMA RIVER BASIN WATER ENHANCEMENT PROJECT.—The terms ‘Yakima Enhancement Project’ and ‘Yakima River Basin Water Enhancement Project’ mean the Yakima River basin water enhancement project authorized by Congress pursuant to this Act and other Acts (including Public Law 96-162 (93 Stat. 1241), section 109 of Public Law 98-381 (16 U.S.C. 839b note; 98 Stat. 1340), Public Law 105-62 (111 Stat. 1320), and Public Law 106-372 (114 Stat. 1425)) to promote water conservation, water supply, habitat, and stream enhancement improvements in the Yakima River basin.”.

#### SEC. 8203. YAKIMA RIVER BASIN WATER CONSERVATION PROGRAM.

Section 1203 of Public Law 103-434 (108 Stat. 4551) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in the second sentence, by striking “title” and inserting “section”; and

(ii) in the third sentence, by striking “within 5 years of the date of enactment of this Act”; and

(B) in paragraph (2), by striking “irrigation” and inserting “the number of irrigated acres”; and

(2) in subsection (c)—

(A) in paragraph (2)—

(i) in each of subparagraphs (A) through (D), by striking the comma at the end of the subparagraph and inserting a semicolon;

(ii) in subparagraph (E), by striking the comma at the end and inserting “; and”; and

(iii) in subparagraph (F), by striking “Department of Wildlife of the State of Washington, and” and inserting “Department of Fish and Wildlife of the State of Washington.”; and

(iv) by striking subparagraph (G);

(B) in paragraph (3)—

(i) in each of subparagraphs (A) through (C), by striking the comma at the end of the subparagraph and inserting a semicolon;

(ii) in subparagraph (D), by striking “, and” at the end and inserting a semicolon;

(iii) in subparagraph (E), by striking the period at the end and inserting “; and”; and

(iv) by adding at the end the following:

“(F) provide recommendations to advance the purposes and programs of the Yakima Enhancement Project, including the Integrated Plan.”; and

(C) by striking paragraph (4) and inserting the following:

“(4) AUTHORITY OF DESIGNATED FEDERAL OFFICIAL.—The designated Federal official may—

“(A) arrange and provide logistical support for meetings of the Conservation Advisory Group;

“(B) use a facilitator to serve as a moderator for meetings of the Conservation Advisory Group or provide additional logistical support; and

“(C) grant any request for a facilitator by any member of the Conservation Advisory Group.”;

(3) in subsection (d), by adding at the end the following:

“(4) PAYMENT OF LOCAL SHARE BY STATE OR FEDERAL GOVERNMENT.—

“(A) IN GENERAL.—The State or the Federal Government may fund not more than the 17.5-percent local share of the costs of the Basin Conservation Program in exchange for the long-term use of conserved water, subject to the requirement that the funding by the Federal Government of the local share of the costs shall provide a quantifiable public benefit in meeting Federal responsibilities in the Yakima River basin and the purposes of this title.

“(B) USE OF CONSERVED WATER.—The Yakima Project Manager may use water resulting from conservation measures taken under this title, in addition to water that the Bureau of Reclamation may acquire from any willing seller through purchase, donation, or lease, for water management uses pursuant to this title.”;

(4) in subsection (e), by striking the first sentence and inserting the following: “To participate in the Basin Conservation Program, as described in subsection (b), an entity shall submit to the Secretary a proposed water conservation plan.”;

(5) in subsection (i)(3)—

(A) by striking “purchase or lease” each place it appears and inserting “purchase, lease, or management”;

(B) in the third sentence, by striking “made immediately upon availability” and all that follows through “Committee” and inserting “continued as needed to provide water to be used by the Yakima Project Manager as recommended by the System Operations Advisory Committee and the Conservation Advisory Group”;

(6) in subsection (j)(4), in the first sentence, by striking “initial acquisition” and all that follows through “flushing flows” and inserting “acquisition of water from willing sellers or lessors specifically to provide improved instream flows for anadromous and resident fish and other aquatic life, including pulse flows to facilitate outward migration of anadromous fish”.

#### SEC. 8204. YAKIMA BASIN WATER PROJECTS, OPERATIONS, AND AUTHORIZATIONS.

(a) REDESIGNATION OF YAKAMA NATION.—Section 1204(g) of Public Law 103-434 (108 Stat. 4557) is amended—

(1) by striking the subsection designation and heading and all that follows through paragraph (1) and inserting the following:

“(g) REDESIGNATION OF YAKAMA INDIAN NATION TO YAKAMA NATION.—

“(1) REDESIGNATION.—The Confederated Tribes and Bands of the Yakama Indian Nation shall be known and designated as the ‘Confederated Tribes and Bands of the Yakama Nation.’; and

(2) in paragraph (2), by striking “deemed to be a reference to the ‘Confederated Tribes and Bands of the Yakama Indian Nation’.” and inserting “deemed to be a reference to the ‘Confederated Tribes and Bands of the Yakama Nation’.”.

(b) OPERATION OF YAKIMA BASIN PROJECTS.—Section 1205 of Public Law 103-434 (108 Stat. 4557) is amended—

(1) in subsection (a)(4)—

(A) in subparagraph (A)—

(i) in clause (i)—

(I) by inserting “additional” after “secure”;

(II) by striking “flushing” and inserting “pulse”;

(III) by striking “uses” and inserting “uses, in addition to the quantity of water provided under the treaty between the Yakama Nation and the United States”;

(ii) by striking clause (ii);

(iii) by redesignating clause (iii) as clause (ii); and

(iv) in clause (ii) (as so redesignated) by inserting “and water rights mandated” after “goals”;

(B) in subparagraph (B)(i), in the first sentence, by inserting “in proportion to the funding received” after “Program”;

(2) in subsection (b), in the second sentence, by striking “instream flows for use by the Yakima Project Manager as flushing flows or as otherwise” and inserting “fishery purposes, as”;

(3) in subsection (e), by striking paragraph (1) and inserting the following:

“(1) IN GENERAL.—Additional purposes of the Yakima Project shall be any of the following:

“(A) To recover and maintain self-sustaining harvestable populations of native fish, both anadromous and resident species, throughout their historic distribution range in the Yakima River basin.

“(B) To protect, mitigate, and enhance aquatic life and wildlife.

“(C) Recreation.

“(D) Municipal, industrial, and domestic use.”.

(c) ENHANCEMENT OF WATER SUPPLIES FOR YAKIMA BASIN TRIBUTARIES.—Section 1207 of Public Law 103-434 (108 Stat. 4560) is amended—

(1) in the section heading, by striking “SUPPLIES” and inserting “MANAGEMENT”;

(2) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking “supplies” and inserting “management”;

(B) in paragraph (1), by inserting “and water supply entities” after “owners”;

(C) in paragraph (2)—

(i) in subparagraph (A), by inserting “that choose not to participate in, or opt out of, tributary enhancement projects pursuant to this section” after “water right owners”;

(ii) in subparagraph (B), by inserting “non-participating” before “tributary water users”;

(3) in subsection (b)—

(A) in paragraph (1)—

(i) by striking the paragraph designation and all that follows through “(but not limited to)—” and inserting the following:

“(1) IN GENERAL.—The Secretary, following consultation with the State of Washington, tributary water right owners, and the Yakama Nation, and on agreement of appropriate water right owners, is authorized to conduct studies to evaluate measures to further Yakima Project purposes on tributaries to the Yakima River. Enhancement programs that use measures authorized by this subsection may be investigated and implemented by the Secretary in tributaries to the Yakima River, including Taneum Creek, other areas, or tributary basins that currently or could potentially be provided supplemental or transfer water by entities, such as the Kittitas Reclamation District or the Yakima-Tieton Irrigation District, subject to the condition that activities may commence on completion of applicable and required feasibility studies, environmental reviews, and cost-benefit analyses that include favorable recommendations for further project development, as appropriate. Measures to evaluate include—”;

(ii) by indenting subparagraphs (A) through (F) appropriately;

(iii) in subparagraph (A), by inserting before the semicolon at the end the following: “, including irrigation efficiency improvements (in coordination with programs of the Department of Agriculture), consolidation of diversions or administration, and diversion scheduling or coordination”;

(iv) by redesignating subparagraphs (C) through (F) as subparagraphs (E) through (H), respectively;

(v) by inserting after subparagraph (B) the following:

“(C) improvements in irrigation system management or delivery facilities within the

Yakima River basin when those improvements allow for increased irrigation system conveyance and corresponding reduction in diversion from tributaries or flow enhancements to tributaries through direct flow supplementation or groundwater recharge;

“(D) improvements of irrigation system management or delivery facilities to reduce or eliminate excessively high flows caused by the use of natural streams for conveyance or irrigation water or return water”;

(vi) in subparagraph (E) (as redesignated by clause (iv)), by striking “ground water” and inserting “groundwater recharge and”;

(vii) in subparagraph (G) (as so redesignated), by inserting “or transfer” after “purchase”;

(viii) in subparagraph (H) (as so redesignated), by inserting “stream processes and” before “stream habitats”;

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking “the Taneum Creek study” and inserting “studies under this subsection”;

(ii) in subparagraph (B)—

(I) by striking “and economic” and inserting “, infrastructure, economic, and land use”;

(II) by striking “and” at the end;

(iii) in subparagraph (C), by striking the period at the end and inserting “; and”;

(iv) by adding at the end the following:

“(D) any related studies already underway or undertaken.”;

(C) in paragraph (3), in the first sentence, by inserting “of each tributary or group of tributaries” after “study”;

(4) in subsection (c)—

(A) in the subsection heading, by inserting “AND NONSURFACE STORAGE” after “NON-STORAGE”;

(B) in the matter preceding paragraph (1), by inserting “and nonsurface storage” after “nonsurface”;

(5) by striking subsection (d);

(6) by redesignating subsection (e) as subsection (d); and

(7) in paragraph (2) of subsection (d) (as so redesignated)—

(A) in the first sentence—

(i) by inserting “and implementation” after “investigation”;

(ii) by striking “other” before “Yakima River”;

(iii) by inserting “and other water supply entities” after “owners”;

(B) by striking the second sentence.

(d) CHANDLER PUMPING PLANT AND POWER-PLANT-OPERATIONS AT PROSSER DIVERSION DAM.—Section 1208(d) of Public Law 103-434 (108 Stat. 4562; 114 Stat. 1425) is amended by inserting “negatively” before “affected”.

#### Subtitle D—Bureau of Reclamation Facility Conveyances

#### SEC. 8301. CONVEYANCE OF MAINTENANCE COMPLEX AND DISTRICT OFFICE OF THE ARBUCKLE PROJECT, OKLAHOMA.

(a) DEFINITIONS.—In this section:

(1) AGREEMENT.—The term “Agreement” means the agreement entitled “Agreement between the United States and the Arbuckle Master Conservancy District for Transferring Title to the Federally Owned Maintenance Complex and District Office to the Arbuckle Master Conservancy District” and numbered 14AG640141.

(2) DISTRICT.—The term “District” means the Arbuckle Master Conservancy District, located in Murray County, Oklahoma.

(3) DISTRICT OFFICE.—The term “District Office” means—

(A) the headquarters building located at 2440 East Main, Davis, Oklahoma; and

(B) the approximately 0.83 acres of land described in the Agreement.

(4) **MAINTENANCE COMPLEX.**—The term “Maintenance Complex” means the caretaker’s residence, shop buildings, and any appurtenances located on the land described in the Agreement comprising approximately 2 acres.

(b) **CONVEYANCE TO DISTRICT.**—As soon as practicable after the date of enactment of this Act, the Secretary shall convey to the District, all right, title, and interest of the United States in and to the Maintenance Complex and District Office, Arbuckle Project, Oklahoma, consistent with the terms and conditions of the Agreement.

(c) **LIABILITY.**—

(1) **IN GENERAL.**—Effective on the date of conveyance to the District of the Maintenance Complex and District Office under this section, the United States shall not be held liable by any court for damages of any kind arising out of any act, omission, or occurrence relating to the Maintenance Complex or District Office, except for damages caused by acts of negligence committed by the United States or by an employee or agent of the United States prior to the date of conveyance.

(2) **APPLICABLE LAW.**—Nothing in this section increases the liability of the United States beyond the liability provided in chapter 171 of title 28, United States Code (commonly known as the “Federal Tort Claims Act”), on the date of enactment of this Act.

(d) **BENEFITS.**—After the conveyance of the Maintenance Complex and District Office to the District under this section—

(1) the Maintenance Complex and District Office shall not be considered to be a part of a Federal reclamation project; and

(2) the District shall not be eligible to receive any benefits with respect to any facility comprising that Maintenance Complex and District Office, other than benefits that would be available to a similarly situated person with respect to a facility that is not part of a Federal reclamation project.

(e) **COMMUNICATION.**—If the Secretary has not completed the conveyance required under subsection (b) by the date that is 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a letter with sufficient detail that—

(1) explains the reasons the conveyance has not been completed; and

(2) specifies the date by which the conveyance will be completed.

#### **SEC. 8302. CONTRA COSTA CANAL TRANSFER.**

(a) **DEFINITIONS.**—In this section:

(1) **ACQUIRED LAND.**—The term “acquired land” means land in Federal ownership and land over which the Federal Government holds an interest for the purpose of the construction and operation of the Contra Costa Canal, including land under the jurisdiction of—

(A) the Bureau of Reclamation;

(B) the Western Area Power Administration; and

(C) the Department of Defense in the case of the Clayton Canal diversion traversing the Concord Naval Weapons Station.

(2) **CONTRA COSTA CANAL.**—

(A) **IN GENERAL.**—The term “Contra Costa Canal” means the Contra Costa Canal Unit of the Central Valley Project, which exclusively serves the Contra Costa Water District in an urban area of Contra Costa County, California.

(B) **INCLUSIONS.**—The term “Contra Costa Canal” includes pipelines, conduits, pumping plants, aqueducts, laterals, water storage and regulatory facilities, electric substations, related works and improvements, and all interests in land associated with the Contra Costa Canal Unit of the Central Valley Project in existence on the date of enactment of this Act.

(C) **EXCLUSION.**—The term “Contra Costa Canal” does not include the Rock Slough fish screen facility.

(3) **CONTRA COSTA CANAL AGREEMENT.**—The term “Contra Costa Canal Agreement” means an agreement between the District and the Bureau of Reclamation to determine the legal, institutional, and financial terms surrounding the transfer of the Contra Costa Canal, including compensation to the reclamation fund established by the first section of the Act of June 17, 1902 (32 Stat. 388, chapter 1093), equal to the net present value of miscellaneous revenues that the United States would otherwise derive over the 10 years following the date of enactment of this Act from the eligible land and facilities to be transferred, as governed by reclamation law and policy and the contracts.

(4) **CONTRACTS.**—The term “contracts” means the existing water service contract between the District and the United States, Contract No. 175r-3401A-LTR1 (2005), Contract No. 14-06-200-6072A (1972, as amended), and any other contract or land permit involving the United States, the District, and Contra Costa Canal.

(5) **DISTRICT.**—The term “District” means the Contra Costa Water District, a political subdivision of the State of California.

(6) **ROCK SLOUGH FISH SCREEN FACILITY.**—

(A) **IN GENERAL.**—The term “Rock Slough fish screen facility” means the fish screen facility at the Rock Slough intake to the Contra Costa Canal.

(B) **INCLUSIONS.**—The term “Rock Slough fish screen facility” includes the screen structure, rake cleaning system, and accessory structures integral to the screen function of the Rock Slough fish screen facility, as required under the Central Valley Project Improvement Act (Public Law 102-575; 106 Stat. 4706).

(7) **ROCK SLOUGH FISH SCREEN FACILITY TITLE TRANSFER AGREEMENT.**—The term “Rock Slough fish screen facility title transfer agreement” means an agreement between the District and the Bureau of Reclamation to—

(A) determine the legal, institutional, and financial terms surrounding the transfer of the Rock Slough fish screen facility; and

(B) ensure the continued safe and reliable operations of the Rock Slough fish screen facility.

(b) **CONVEYANCE OF LAND AND FACILITIES.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, in consideration for the District assuming from the United States all liability for the administration, operation, maintenance, and replacement of the Contra Costa Canal, consistent with the terms and conditions set forth in the Contra Costa Canal Agreement and subject to valid existing rights and existing recreation agreements between the Bureau of Reclamation and the East Bay Regional Park District for Contra Loma Regional Park and other local agencies within the Contra Costa Canal, the Secretary shall offer to convey and assign to the District—

(A) all right, title, and interest of the United States in and to—

(i) the Contra Costa Canal; and

(ii) the acquired land; and

(B) all interests reserved and developed as of the date of enactment of this Act for the Contra Costa Canal in the acquired land, including existing recreation agreements between the Bureau of Reclamation and the East Bay Regional Park District for Contra Loma Regional Park and other local agencies within the Contra Costa Canal.

(2) **ROCK SLOUGH FISH SCREEN FACILITY.**—

(A) **IN GENERAL.**—The Secretary shall convey and assign to the District all right, title, and interest of the United States in and to the Rock Slough fish screen facility pursu-

ant to the Rock Slough fish screen facility title transfer agreement.

(B) **COOPERATION.**—Not later than 180 days after the conveyance of the Contra Costa Canal, the Secretary and the District shall enter into good faith negotiations to accomplish the conveyance and assignment under subparagraph (A).

(3) **PAYMENT OF COSTS.**—The District shall pay to the Secretary any administrative and real estate transfer costs incurred by the Secretary in carrying out the conveyances and assignments under paragraphs (1) and (2), including the cost of any boundary survey, title search, cadastral survey, appraisal, and other real estate transaction required for the conveyances and assignments.

(4) **COMPLIANCE WITH ENVIRONMENTAL LAWS.**—

(A) **IN GENERAL.**—Before carrying out the conveyances and assignments under paragraphs (1) and (2), the Secretary shall comply with all applicable requirements under—

(i) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(ii) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and

(iii) any other law applicable to the Contra Costa Canal or the acquired land.

(B) **EFFECT.**—Nothing in this section modifies or alters any obligations under—

(i) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); or

(ii) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

(c) **RELATIONSHIP TO EXISTING CENTRAL VALLEY PROJECT CONTRACTS.**—

(1) **IN GENERAL.**—Nothing in this section affects—

(A) the application of the reclamation laws to water delivered to the District pursuant to any contract with the Secretary; or

(B) subject to paragraph (2), the contracts.

(2) **AMENDMENTS TO CONTRACTS.**—The Secretary and the District may modify the contracts as necessary to comply with this section.

(3) **LIABILITY.**—

(A) **IN GENERAL.**—Except as provided in subparagraph (B), the United States shall not be liable for damages arising out of any act, omission, or occurrence relating to the Contra Costa Canal or the acquired land.

(B) **EXCEPTION.**—The United States shall continue to be liable for damages caused by acts of negligence committed by the United States or by any employee or agent of the United States before the date of the conveyance and assignment under subsection (b)(1), consistent with chapter 171 of title 28, United States Code (commonly known as the “Federal Tort Claims Act”).

(C) **LIMITATION.**—Nothing in this section increases the liability of the United States beyond the liability provided under chapter 171 of title 28, United States Code (commonly known as the “Federal Tort Claims Act”).

(d) **REPORT.**—If the conveyance and assignment authorized by subsection (b)(1) is not completed by the date that is 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report that—

(1) describes the status of the conveyance and assignment;

(2) describes any obstacles to completing the conveyance and assignment; and

(3) specifies an anticipated date for completion of the conveyance and assignment.

#### **Subtitle E—Project Authorizations**

#### **SEC. 8401. EXTENSION OF EQUUS BEDS DIVISION OF THE WICHITA PROJECT.**

Section 10(h) of Public Law 86-787 (74 Stat. 1026; 120 Stat. 1474) is amended by striking “10 years” and inserting “20 years”.

### Subtitle F—Modifications of Existing Programs

#### SEC. 8501. WATERSMART.

Section 9504 of the Omnibus Public Land Management Act of 2009 (42 U.S.C. 10364) is amended in subsection (a)—

- (1) in paragraph (2)(A)—
- (A) by striking “within the States” and inserting the following: “within—
- “(i) the States”;
- (B) in clause (i) (as so designated), by striking “and” at the end; and
- (C) by adding at the end the following:
  - “(ii) the State of Alaska; or
  - “(iii) the State of Hawaii; and”;
- (2) in paragraph (3)(B)—
- (A) by redesignating clauses (i) and (ii) as subclauses (I) and (II), respectively, and indenting appropriately;
- (B) in the matter preceding subclause (I) (as so redesignated), by striking “In carrying” and inserting the following:
  - “(i) IN GENERAL.—Except as provided in clause (ii), in carrying”; and
  - (C) by adding at the end the following:
    - “(ii) INDIAN TRIBES.—In the case of an eligible applicant that is an Indian tribe, in carrying out paragraph (1), the Secretary shall not provide a grant, or enter into an agreement, for an improvement to conserve irrigation water unless the Indian tribe agrees not—
    - “(I) to use any associated water savings to increase the total irrigated acreage more than the water right of that Indian tribe, as determined by—
    - “(aa) a court decree;
    - “(bb) a settlement;
    - “(cc) a law; or
    - “(dd) any combination of the authorities described in items (aa) through (cc); or
    - “(II) to otherwise increase the consumptive use of water more than the water right of the Indian tribe described in subclause (I).”.

### Subtitle G—Bureau of Reclamation Transparency

#### SEC. 8601. DEFINITIONS.

In this part:

- (1) ASSET.—
- (A) IN GENERAL.—The term “asset” means any of the following assets that are used to achieve the mission of the Bureau to manage, develop, and protect water and related resources in an environmentally and economically sound manner in the interest of the people of the United States:
  - (i) Capitalized facilities, buildings, structures, project features, power production equipment, recreation facilities, or quarters.
  - (ii) Capitalized and noncapitalized heavy equipment and other installed equipment.
- (B) INCLUSIONS.—The term “asset” includes assets described in subparagraph (A) that are considered to be mission critical.
- (2) ASSET MANAGEMENT REPORT.—The term “Asset Management Report” means—
- (A) the annual plan prepared by the Bureau known as the “Asset Management Plan”; and
- (B) any publicly available information relating to the plan described in subparagraph (A) that summarizes the efforts of the Bureau to evaluate and manage infrastructure assets of the Bureau.
- (3) MAJOR REPAIR AND REHABILITATION NEED.—The term “major repair and rehabilitation need” means major nonrecurring maintenance at a Reclamation facility, including maintenance related to the safety of dams, extraordinary maintenance of dams, deferred major maintenance activities, and all other significant repairs and extraordinary maintenance.

#### SEC. 8602. ASSET MANAGEMENT REPORT ENHANCEMENTS FOR RESERVED WORKS.

- (a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to Congress an Asset Management Report that—
- (1) describes the efforts of the Bureau—
- (A) to maintain in a reliable manner all reserved works at Reclamation facilities; and
- (B) to standardize and streamline data reporting and processes across regions and areas for the purpose of maintaining reserved works at Reclamation facilities; and
- (2) expands on the information otherwise provided in an Asset Management Report, in accordance with subsection (b).
- (b) INFRASTRUCTURE MAINTENANCE NEEDS ASSESSMENT.—
- (1) IN GENERAL.—The Asset Management Report submitted under subsection (a) shall include—
- (A) a detailed assessment of major repair and rehabilitation needs for all reserved works at all Reclamation projects; and
- (B) to the maximum extent practicable, an itemized list of major repair and rehabilitation needs of individual Reclamation facilities at each Reclamation project.
- (2) INCLUSIONS.—To the maximum extent practicable, the itemized list of major repair and rehabilitation needs under paragraph (1)(B) shall include—
- (A) a budget level cost estimate of the appropriations needed to complete each item; and
- (B) an assignment of a categorical rating for each item, consistent with paragraph (3).
- (3) RATING REQUIREMENTS.—
- (A) IN GENERAL.—The system for assigning ratings under paragraph (2)(B) shall be—
- (i) consistent with existing uniform categorization systems to inform the annual budget process and agency requirements; and
- (ii) subject to the guidance and instructions issued under subparagraph (B).
- (B) GUIDANCE.—As soon as practicable after the date of enactment of this Act, the Secretary shall issue guidance that describes the applicability of the rating system applicable under paragraph (2)(B) to Reclamation facilities.
- (4) PUBLIC AVAILABILITY.—Except as provided in paragraph (5), the Secretary shall make publicly available, including on the internet, the Asset Management Report required under subsection (a).
- (5) CONFIDENTIALITY.—The Secretary may exclude from the public version of the Asset Management Report made available under paragraph (4) any information that the Secretary identifies as sensitive or classified, but shall make available to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a version of the report containing the sensitive or classified information.
- (c) UPDATES.—Not later than 2 years after the date on which the Asset Management Report is submitted under subsection (a) and biennially thereafter, the Secretary shall update the Asset Management Report, subject to the requirements of section 8603(b)(2).
- (d) CONSULTATION.—To the extent that such consultation would assist the Secretary in preparing the Asset Management Report under subsection (a) and updates to the Asset Management Report under subsection (c), the Secretary shall consult with—
- (1) the Secretary of the Army (acting through the Chief of Engineers); and
- (2) water and power contractors.

#### SEC. 8603. ASSET MANAGEMENT REPORT ENHANCEMENTS FOR TRANSFERRED WORKS.

- (a) IN GENERAL.—The Secretary shall coordinate with the non-Federal entities re-

sponsible for the operation and maintenance of transferred works in developing reporting requirements for Asset Management Reports with respect to major repair and rehabilitation needs for transferred works that are similar to the reporting requirements described in section 8602(b).

#### (b) GUIDANCE.—

- (1) IN GENERAL.—After considering input from water and power contractors of the Bureau, the Secretary shall develop and implement a rating system for transferred works that incorporates, to the maximum extent practicable, the rating system for major repair and rehabilitation needs for reserved works developed under section 8602(b)(3).
- (2) UPDATES.—The ratings system developed under paragraph (1) shall be included in the updated Asset Management Reports under section 8602(c).

### TITLE IX—MISCELLANEOUS

#### SEC. 9001. EVERY KID OUTDOORS ACT.

- (a) DEFINITIONS.—In this section:
  - (1) FEDERAL LAND AND WATERS.—The term “Federal land and waters” means any Federal land or body of water under the jurisdiction of any of the Secretaries to which the public has access.
  - (2) PROGRAM.—The term “program” means the Every Kid Outdoors program established under subsection (b)(1).
  - (3) SECRETARIES.—The term “Secretaries” means—
    - (A) the Secretary, acting through—
    - (i) the Director of the National Park Service;
    - (ii) the Director of the United States Fish and Wildlife Service;
    - (iii) the Director of the Bureau of Land Management; and
    - (iv) the Commissioner of Reclamation;
    - (B) the Secretary of Agriculture, acting through the Chief of the Forest Service;
    - (C) the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration; and
    - (D) the Secretary of the Army, acting through the Assistant Secretary of the Army for Civil Works.
  - (4) STATE.—The term “State” means each of the several States, the District of Columbia, American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, the Virgin Islands of the United States, and any other territory or possession of the United States.
  - (5) STUDENT OR STUDENTS.—The term “student” or “students” means any fourth grader or home-schooled learner 10 years of age residing in the United States, including any territory or possession of the United States.
- (b) EVERY KID OUTDOORS PROGRAM.—
- (1) ESTABLISHMENT.—The Secretaries shall jointly establish a program, to be known as the “Every Kid Outdoors program”, to provide free access to Federal land and waters for students and accompanying individuals in accordance with this subsection.
- (2) ANNUAL PASSES.—
- (A) IN GENERAL.—At the request of a student, the Secretaries shall issue a pass to the student, which allows access to Federal lands and waters for which access is subject to an entrance, standard amenity, or day use fee, free of charge for the student and—
- (i) in the case of a per-vehicle fee area—
- (I) any passengers accompanying the student in a private, noncommercial vehicle; or
- (II) not more than three adults accompanying the student on bicycles; or
- (ii) in the case of a per-person fee area, not more than three adults accompanying the student.
- (B) TERM.—A pass described in subparagraph (A) shall be effective during the period beginning on September 1 and ending on August 31 of the following year.



(C) PRESENCE OF A STUDENT IN GRADE FOUR REQUIRED.—A pass described in subparagraph (A) shall be effective only if the student to which the pass was issued is present at the point of entry to the applicable Federal land or water.

(3) OTHER ACTIVITIES.—In carrying out the program, the Secretaries—

(A) may collaborate with State Park systems that opt to implement a complementary Every Kid Outdoors State park pass;

(B) may coordinate with the Secretary of Education to implement the program;

(C) shall maintain a publicly available website with information about the program;

(D) may provide visitor services for the program; and

(E) may support approved partners of the Federal land and waters by providing the partners with opportunities to participate in the program.

(4) REPORTS.—The Secretary, in coordination with each Secretary described in subparagraphs (B) through (D) of subsection (a)(3), shall prepare a comprehensive report to Congress each year describing—

(A) the implementation of the program;

(B) the number and geographical distribution of students who participated in the program; and

(C) the number of passes described in paragraph (2)(A) that were distributed.

(5) SUNSET.—The authorities provided in this section, including the reporting requirement, shall expire on the date that is 7 years after the date of enactment of this Act.

#### SEC. 9002. GOOD SAMARITAN SEARCH AND RECOVERY ACT.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE.—The term “eligible”, with respect to an organization or individual, means that the organization or individual, respectively, is—

(A) acting in a not-for-profit capacity; and

(B) composed entirely of members who, at the time of the good Samaritan search-and-recovery mission, have attained the age of majority under the law of the State where the mission takes place.

(2) GOOD SAMARITAN SEARCH-AND-RECOVERY MISSION.—The term “good Samaritan search-and-recovery mission” means a search conducted by an eligible organization or individual for 1 or more missing individuals believed to be deceased at the time that the search is initiated.

(3) SECRETARY.—The term “Secretary” means the Secretary or the Secretary of Agriculture, as applicable.

(b) PROCESS.—

(1) IN GENERAL.—Each Secretary shall develop and implement a process to expedite access to Federal land under the administrative jurisdiction of the Secretary for eligible organizations and individuals to request access to Federal land to conduct good Samaritan search-and-recovery missions.

(2) INCLUSIONS.—The process developed and implemented under this subsection shall include provisions to clarify that—

(A) an eligible organization or individual granted access under this section—

(i) shall be acting for private purposes; and

(ii) shall not be considered to be a Federal volunteer;

(B) an eligible organization or individual conducting a good Samaritan search-and-recovery mission under this section shall not be considered to be a volunteer under section 102301(c) of title 54, United States Code;

(C) chapter 171 of title 28, United States Code (commonly known as the “Federal Tort Claims Act”), shall not apply to an eligible organization or individual carrying out a privately requested good Samaritan search-and-recovery mission under this section; and

(D) chapter 81 of title 5, United States Code (commonly known as the “Federal Employ-

ees Compensation Act”), shall not apply to an eligible organization or individual conducting a good Samaritan search-and-recovery mission under this section, and the conduct of the good Samaritan search-and-recovery mission shall not constitute civilian employment.

(c) RELEASE OF FEDERAL GOVERNMENT FROM LIABILITY.—The Secretary shall not require an eligible organization or individual to have liability insurance as a condition of accessing Federal land under this section, if the eligible organization or individual—

(1) acknowledges and consents, in writing, to the provisions described in subparagraphs (A) through (D) of subsection (b)(2); and

(2) signs a waiver releasing the Federal Government from all liability relating to the access granted under this section and agrees to indemnify and hold harmless the United States from any claims or lawsuits arising from any conduct by the eligible organization or individual on Federal land.

(d) APPROVAL AND DENIAL OF REQUESTS.—

(1) IN GENERAL.—The Secretary shall notify an eligible organization or individual of the approval or denial of a request by the eligible organization or individual to carry out a good Samaritan search-and-recovery mission under this section by not later than 48 hours after the request is made.

(2) DENIALS.—If the Secretary denies a request from an eligible organization or individual to carry out a good Samaritan search-and-recovery mission under this section, the Secretary shall notify the eligible organization or individual of—

(A) the reason for the denial of the request; and

(B) any actions that the eligible organization or individual can take to meet the requirements for the request to be approved.

(e) PARTNERSHIPS.—Each Secretary shall develop search-and-recovery-focused partnerships with search-and-recovery organizations—

(1) to coordinate good Samaritan search-and-recovery missions on Federal land under the administrative jurisdiction of the Secretary; and

(2) to expedite and accelerate good Samaritan search-and-recovery mission efforts for missing individuals on Federal land under the administrative jurisdiction of the Secretary.

(f) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretaries shall submit to Congress a joint report describing—

(1) plans to develop partnerships described in subsection (e)(1); and

(2) efforts carried out to expedite and accelerate good Samaritan search-and-recovery mission efforts for missing individuals on Federal land under the administrative jurisdiction of each Secretary pursuant to subsection (e)(2).

#### SEC. 9003. 21ST CENTURY CONSERVATION SERVICE CORPS ACT.

(a) DEFINITIONS.—Section 203 of the Public Lands Corps Act of 1993 (16 U.S.C. 1722) is amended—

(1) in paragraph (2), by striking “under section 204” and inserting “by section 204(a)(1)”;;

(2) by redesignating paragraphs (8) through (13) as paragraphs (9) through (14), respectively;

(3) by inserting after paragraph (7) the following:

“(8) INSTITUTION OF HIGHER EDUCATION.—

“(A) IN GENERAL.—The term ‘institution of higher education’ has the meaning given the term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002).

“(B) EXCLUSION.—The term ‘institution of higher education’ does not include—

“(i) an institution described in section 101(b) of the Higher Education Act of 1965 (20 U.S.C. 1001(b)); or

“(ii) an institution outside the United States, as described in section 102(a)(1)(C) of the Higher Education Act of 1965 (20 U.S.C. 1002(a)(1)(C)).”;

(4) in paragraph (9) (as so redesignated)—

(A) in the matter preceding subparagraph (A), by striking “, as follows” and inserting “and other conservation and restoration initiatives, as follows”; and

(B) by adding at the end the following:

“(E) To protect, restore, or enhance marine, estuarine, riverine, and coastal habitat ecosystem components—

“(i) to promote the recovery of threatened species, endangered species, and managed fisheries;

“(ii) to restore fisheries, protected resources, and habitats impacted by oil and chemical spills and natural disasters; or

“(iii) to enhance the resilience of coastal ecosystems, communities, and economies through habitat conservation.”;

(5) in subparagraph (A) of paragraph (11) (as so redesignated), by striking “individuals between the ages of 16 and 30, inclusive,” and inserting “individuals between the ages of 16 and 30, inclusive, or veterans age 35 or younger”;

(6) in paragraph (13) (as so redesignated)—

(A) in subparagraph (A), by striking “and” at the end;

(B) in subparagraph (B), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(C) with respect to the National Marine Sanctuary System, coral reefs, and other coastal, estuarine, and marine habitats, and other land and facilities administered by the National Oceanic and Atmospheric Administration, the Secretary of Commerce.”; and

(7) by adding at the end the following:

“(15) VETERAN.—The term ‘veteran’ has the meaning given the term in section 101 of title 38, United States Code.”.

(b) PUBLIC LANDS CORPS PROGRAM.—Section 204 of the Public Lands Corps Act of 1993 (16 U.S.C. 1723) is amended—

(1) by striking subsection (a) and inserting the following:

“(a) ESTABLISHMENT OF PUBLIC LANDS CORPS.—

“(1) IN GENERAL.—There is established in the Department of the Interior, the Department of Agriculture, and the Department of Commerce a corps, to be known as the ‘Public Lands Corps’.

“(2) NO EFFECT ON OTHER AGENCIES.—Nothing in this subsection precludes the establishment of a public lands corps by the head of a Federal department or agency other than a department described in paragraph (1), in accordance with this Act.”;

(2) in subsection (b)—

(A) in the first sentence, by striking “individuals between the ages of 16 and 30, inclusive,” and inserting “individuals between the ages of 16 and 30, inclusive, and veterans age 35 or younger”; and

(B) in the second sentence, by striking “section 137(b) of the National and Community Service Act of 1990” and inserting “paragraphs (1), (2), (4), and (5) of section 137(a) of the National and Community Service Act of 1990 (42 U.S.C. 12591(a))”; and

(3) by adding at the end the following:

“(g) EFFECT.—Nothing in this section authorizes the use of the Public Lands Corps for projects on or impacting real property owned by, operated by, or within the custody, control, or administrative jurisdiction of the Administrator of General Services without the express permission of the Administrator of General Services.”.

(c) TRANSPORTATION.—Section 205 of the Public Lands Corps Act of 1993 (16 U.S.C.

1724) is amended by adding at the end the following:

“(e) TRANSPORTATION.—The Secretary may provide to Corps participants who reside in their own homes transportation to and from appropriate conservation project sites.”.

(d) RESOURCE ASSISTANTS.—

(1) IN GENERAL.—Section 206(a) of the Public Lands Corps Act of 1993 (16 U.S.C. 1725(a)) is amended by striking the first sentence and inserting the following: “The Secretary may provide individual placements of resource assistants to carry out research or resource protection activities on behalf of the Secretary.”.

(2) DIRECT HIRE AUTHORITY.—Section 121(a) of the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2012 (16 U.S.C. 1725a), is amended—

(A) in paragraph (1)—

(i) by striking “Secretary of the Interior” and inserting “Secretary (as defined in section 203 of the Public Lands Corps Act of 1993 (16 U.S.C. 1722))”;

(ii) by striking “paragraph (1)” and inserting “paragraph (2)”;

(iii) by striking “with a land managing agency of the Department of the Interior”; and

(B) in paragraph (2)(A), by striking “with a land managing agency” and inserting “with the Secretary (as so defined)”.

(e) COMPENSATION AND EMPLOYMENT STANDARDS.—Section 207 of the Public Lands Corps Act of 1993 (16 U.S.C. 1726) is amended—

(1) by striking the section heading and inserting “COMPENSATION AND TERMS OF SERVICE”;

(2) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively;

(3) by inserting after subsection (a) the following:

“(b) EDUCATIONAL CREDIT.—The Secretary may provide a Corps participant with an educational credit that may be applied toward a program of postsecondary education at an institution of higher education that agrees to award the credit for participation in the Corps.”;

(4) in subsection (c) (as so redesignated)—

(A) by striking “Each participant” and inserting the following:

“(1) IN GENERAL.—Each participant”; and

(B) by adding at the end the following:

“(2) INDIAN YOUTH SERVICE CORPS.—With respect to the Indian Youth Service Corps established under section 210, the Secretary shall establish the term of service of participants in consultation with the affected Indian tribe.”;

(5) in subsection (d) (as so redesignated)—

(A) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and indenting the subparagraphs appropriately;

(B) in the matter preceding subparagraph (A) (as so redesignated), by striking “The Secretary” and inserting the following:

“(1) IN GENERAL.—The Secretary”; and

(C) by adding at the end the following:

“(2) TIME-LIMITED APPOINTMENT.—For purposes of section 9602 of title 5, United States Code, a former member of the Corps hired by the Secretary under paragraph (1)(B) for a time-limited appointment shall be considered to be appointed initially under open, competitive examination.”; and

(6) by adding at the end the following:

“(e) APPLICABILITY TO QUALIFIED YOUTH OR CONSERVATION CORPS.—The hiring and compensation standards described in this section shall apply to any individual participating in an appropriate conservation project through a qualified youth or conservation corps, including an individual placed through a contract or cooperative agreement, as approved by the Secretary.”.

(f) REPORTING AND DATA COLLECTION.—Title II of the Public Lands Corps Act of 1993 (16 U.S.C. 1721 et seq.) is amended—

(1) by redesignating sections 209 through 211 as sections 211 through 213, respectively;

(2) by inserting after section 208 the following:

“SEC. 209. REPORTING AND DATA COLLECTION.

“(a) REPORT.—Not later than 2 years after the date of enactment of the Natural Resources Management Act, and annually thereafter, the Chief Executive Officer of the Corporation for National and Community Service, in coordination with the Secretaries, shall submit to Congress a report that includes data on the Corps, including—

“(1) the number of participants enrolled in the Corps and the length of the term of service for each participant;

“(2) the projects carried out by Corps participants, categorized by type of project and Federal agency;

“(3) the total amount and sources of funding provided for the service of participants;

“(4) the type of service performed by participants and the impact and accomplishments of the service; and

“(5) any other similar data determined to be appropriate by the Chief Executive Officer of the Corporation for National and Community Service or the Secretaries.

“(b) DATA.—Not later than 1 year after the date of enactment of the Natural Resources Management Act, and annually thereafter, the Secretaries shall submit to the Chief Executive Officer of the Corporation for National and Community Service the data described in subsection (a).

“(c) DATA COLLECTION.—The Chief Executive Officer of the Corporation for National and Community Service may coordinate with qualified youth or conservation corps to improve the collection of the required data described in subsection (a).

“(d) COORDINATION.—

“(1) IN GENERAL.—The Secretaries shall, to the maximum extent practicable, coordinate with each other to carry out activities authorized under this Act, including—

“(A) the data collection and reporting requirements of this section; and

“(B) implementing and issuing guidance on eligibility for noncompetitive hiring status under section 207(d).

“(2) DESIGNATION OF COORDINATORS.—The Secretary shall designate a coordinator to coordinate and serve as the primary point of contact for any activity of the Corps carried out by the Secretary.”; and

(3) in subsection (c) of section 212 (as so redesignated), by striking “211” and inserting “213”.

(g) INDIAN YOUTH SERVICE CORPS.—Title II of the Public Lands Corps Act of 1993 (16 U.S.C. 1721 et seq.) (as amended by subsection (f)) is amended by inserting after section 209 the following:

“SEC. 210. INDIAN YOUTH SERVICE CORPS.

“(a) IN GENERAL.—There is established within the Public Lands Corps a program to be known as the ‘Indian Youth Service Corps’ that—

“(1) enrolls participants between the ages of 16 and 30, inclusive, and veterans age 35 or younger, a majority of whom are Indians;

“(2) is established pursuant to an agreement between an Indian tribe and a qualified youth or conservation corps for the benefit of the members of the Indian tribe; and

“(3) carries out appropriate conservation projects on eligible service land.

“(b) AUTHORIZATION OF COOPERATIVE AGREEMENTS.—The Secretary may enter into cooperative agreements with Indian tribes and qualified youth or conservation corps for the establishment and administration of the Indian Youth Service Corps.

“(c) GUIDELINES.—Not later than 18 months after the date of enactment of the Natural Resources Management Act, the Secretary of the Interior, in consultation with Indian tribes, shall issue guidelines for the management of the Indian Youth Service Corps, in accordance with this Act and any other applicable Federal laws.”.

SEC. 9004. NATIONAL NORDIC MUSEUM ACT.

(a) DESIGNATION.—The Nordic Museum located at 2655 N.W. Market Street, Seattle, Washington, is designated as the “National Nordic Museum”.

(b) EFFECT OF DESIGNATION.—

(1) IN GENERAL.—The museum designated by subsection (a) is not a unit of the National Park System.

(2) USE OF FEDERAL FUNDS.—The designation of the museum by subsection (a) shall not require Federal funds to be expended for any purpose related to the museum.

SEC. 9005. DESIGNATION OF NATIONAL GEORGE C. MARSHALL MUSEUM AND LIBRARY.

(a) DESIGNATION.—The George C. Marshall Museum and the George C. Marshall Research Library in Lexington, Virginia, are designated as the “National George C. Marshall Museum and Library” (referred to in this section as the “museum”).

(b) EFFECT OF DESIGNATION.—

(1) IN GENERAL.—The museum designated by subsection (a) is not a unit of the National Park System.

(2) USE OF FEDERAL FUNDS.—The designation of the museum by subsection (a) shall not require Federal funds to be expended for any purpose related to the museum.

SEC. 9006. 21ST CENTURY RESPECT ACT.

(a) AMENDMENTS TO REGULATIONS REQUIRED.—

(1) SECRETARY OF AGRICULTURE.—The Secretary of Agriculture shall amend section 1901.202 of title 7, Code of Federal Regulations, for purposes of—

(A) replacing the reference to the term “Negro or Black” with “Black or African American”; and

(B) replacing the reference to the term “Spanish Surname” with “Hispanic”; and

(C) replacing the reference to the term “Oriental” with “Asian American or Pacific Islander”.

(2) ADMINISTRATOR OF GENERAL SERVICES.—The Administrator of General Services shall amend section 906.2 of title 36, Code of Federal Regulations, for purposes of—

(A) replacing the references to the term “Negro” with “Black or African American”; and

(B) replacing the definition of “Negro” with the definition of “Black or African American” as “an individual having origins in any of the Black racial groups of Africa”; and

(C) replacing the references to the term “Oriental” with “Asian American or Pacific Islander”; and

(D) replacing the references to the terms “Eskimo” and “Aleut” with “Alaska Native”.

(b) RULE OF CONSTRUCTION.—Nothing in this section, or the amendments required by this section, shall be construed to affect Federal law, except with respect to the use of terms by the Secretary of Agriculture and the Administrator of General Services, respectively, to the regulations affected by this section.

SEC. 9007. AMERICAN WORLD WAR II HERITAGE CITIES.

(a) DESIGNATION.—In order to recognize and ensure the continued preservation and importance of the history of the United States involvement in World War II, each calendar year the Secretary may designate 1 or more cities located in 1 of the several States or a territory of the United States as an “American World War II Heritage City”. Not more

than 1 city in each State or territory may be designated under this section.

(b) **APPLICATION FOR DESIGNATION.**—The Secretary may—

(1) establish and publicize the process by which a city may apply for designation as an American World War II Heritage City based on the criteria in subsection (c); and

(2) encourage cities to apply for designation as an American World War II Heritage City.

(c) **CRITERIA FOR DESIGNATION.**—The Secretary, in consultation with the Secretary of the Smithsonian Institution or the President of the National Trust for Historic Preservation, shall make each designation under subsection (a) based on the following criteria:

(1) Contributions by a city and its environs to the World War II home-front war effort, including contributions related to—

(A) defense manufacturing, such as ships, aircraft, uniforms, and equipment;

(B) production of foodstuffs and consumer items for Armed Forces and home consumption;

(C) war bond drives;

(D) adaptations to wartime survival;

(E) volunteer participation;

(F) civil defense preparedness;

(G) personnel serving in the Armed Forces, their achievements, and facilities for their rest and recreation; or

(H) the presence of Armed Forces camps, bases, airfields, harbors, repair facilities, and other installations within or in its environs.

(2) Achievements by a city and its environs to preserve the heritage and legacy of the city's contributions to the war effort and to preserve World War II history, including—

(A) the identification, preservation, restoration, and interpretation of World War II-related structures, facilities and sites;

(B) establishment of museums, parks, and markers;

(C) establishment of memorials to area men who lost their lives in service;

(D) organizing groups of veterans and home-front workers and their recognition;

(E) presentation of cultural events such as dances, plays, and lectures;

(F) public relations outreach through the print and electronic media, and books; and

(G) recognition and ceremonies remembering wartime event anniversaries.

#### **SEC. 9008. QUINDARO TOWNSITE NATIONAL COMMEMORATIVE SITE.**

(a) **DEFINITIONS.**—In this section:

(1) **COMMEMORATIVE SITE.**—The term “Commemorative Site” means the Quindaro Townsite National Commemorative Site designated by subsection (b)(1).

(2) **STATE.**—The term “State” means the State of Kansas.

(b) **DESIGNATION.**—

(1) **IN GENERAL.**—The Quindaro Townsite in Kansas City, Kansas, as listed on the National Register of Historic Places, is designated as the “Quindaro Townsite National Commemorative Site”.

(2) **EFFECT OF DESIGNATION.**—The Commemorative Site shall not be considered to be a unit of the National Park System.

(c) **COOPERATIVE AGREEMENTS.**—

(1) **IN GENERAL.**—The Secretary, in consultation with the State, Kansas City, Kansas, and affected subdivisions of the State, may enter into cooperative agreements with appropriate public or private entities, for the purposes of—

(A) protecting historic resources at the Commemorative Site; and

(B) providing educational and interpretive facilities and programs at the Commemorative Site for the public.

(2) **TECHNICAL AND FINANCIAL ASSISTANCE.**—The Secretary may provide technical and financial assistance to any entity with which

the Secretary has entered into a cooperative agreement under paragraph (1).

(d) **NO EFFECT ON ACTIONS OF PROPERTY OWNERS.**—Designation of the Quindaro Townsite as a National Commemorative Site shall not prohibit any actions that may otherwise be taken by a property owner (including any owner of the Commemorative Site) with respect to the property of the owner.

(e) **NO EFFECT ON ADMINISTRATION.**—Nothing in this section affects the administration of the Commemorative Site by Kansas City, Kansas, or the State.

#### **SEC. 9009. DESIGNATION OF NATIONAL COMEDY CENTER IN JAMESTOWN, NEW YORK.**

(a) **CONGRESSIONAL RECOGNITION.**—Congress—

(1) recognizes that the National Comedy Center, located in Jamestown, New York, is the only museum of its kind that exists for the exclusive purpose of celebrating comedy in all its forms; and

(2) officially designates the National Comedy Center as the “National Comedy Center” (referred to in this section as the “Center”).

(b) **EFFECT OF RECOGNITION.**—The National Comedy Center recognized in this section is not a unit of the National Park System and the designation of the Center shall not be construed to require or permit Federal funds to be expended for any purpose related to the Center.

**SA 112.** Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 111 submitted by Ms. MURKOWSKI (for herself and Mr. MANCHIN) and intended to be proposed to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 2402 and insert the following:

#### **SEC. 2402. HISTORICALLY BLACK COLLEGES AND UNIVERSITIES HISTORIC PRESERVATION PROGRAM REAUTHORIZED.**

Section 507(d)(2) of the Omnibus Parks and Public Lands Management Act of 1996 (54 U.S.C. 302101 note) is amended by striking the period at the end and inserting “and each of fiscal years 2019 through 2025.”.

**SA 113.** Mr. BENNET submitted an amendment intended to be proposed by him to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

#### **Subtitle F—Colorado Outdoor Recreation**

##### **SEC. 1501. FINDINGS.**

Congress finds that—

(1) Coloradans value public land and have a long and proud history of balanced, varied, sustainable use of public land for agriculture, energy development, recreation, and other purposes;

(2) public land—

(A) is an essential part of the Colorado way of life and what makes the State a desirable place to live, work, and visit; and

(B) provides for—

(i) a clean water supply;

(ii) access to recreational opportunities, including hiking, backpacking, camping, mountain biking, skiing, climbing, snowmobiling, off-highway vehicle travel, and rafting;

(iii) high-quality wildlife habitat and migration corridors that support at-risk species and big game animals important to hunters and anglers across the United States; and

(iv) grazing land that supports the agricultural economy of the State;

(3) outdoor recreation on public land is a key component of the economy of the State, supporting large and small businesses and communities statewide;

(4) according to the Outdoor Industry Association—

(A) 71 percent of Colorado residents participate in outdoor recreation each year; and

(B) in Colorado, outdoor recreation generates—

(i) \$28,000,000,000 in consumer spending annually;

(ii) 229,000 direct jobs;

(iii) \$9,700,000,000 in wages and salaries; and

(iv) \$2,000,000,000 in State and local tax revenue;

(5) the wilderness, conservation, and recreation areas in this subtitle will—

(A) protect—

(i) 3 highly visible mountain peaks with an elevation of at least 14,000 feet (commonly known as “Fourteeners”), including Mt. Sneffels, Wilson Peak, and Quandary Peak; and

(ii) many well-known smaller peaks;

(B) preserve iconic landscapes across Colorado;

(C) conserve important wildlife habitat;

(D) safeguard important watersheds that provide many communities a supply of clean drinking water;

(E) protect valuable, high-quality land for biking, skiing, and other road- and trail-based recreation; and

(F) provide access to world-class hunting and fishing opportunities;

(6) the Camp Hale National Historic Landscape designation honors the legacy of the 10th Mountain Division, the members of which—

(A) trained at Camp Hale;

(B) contributed to the United States victory during World War II; and

(C) went on to help create the modern outdoor industry in Colorado, including several iconic Colorado ski areas;

(7) the Thompson Divide in western Colorado—

(A) supports a robust agriculture-based economy;

(B) provides outstanding recreation and hunting opportunities to the public;

(C) serves as important spring and summer grazing land for ranching operations; and

(D) was described by President Theodore Roosevelt as a “great, wild country”;

(8) the National Park Service has formally recommended that Congress legislatively establish Curecanti as a National Recreation Area with a new legislative boundary;

(9) Curecanti National Recreation Area—

(A) includes an abundance of natural features in a setting of reservoirs, canyons, pinnacles, cliffs, and mesas;

(B) includes Blue Mesa Reservoir, the largest body of water entirely contained in Colorado and home to an outstanding fishery;

(C) offers the public outstanding opportunities for recreation; and

(D) is 1 of the few remaining units of the National Park Service that has never been legislatively established by Congress;

(10) the provisions contained in this subtitle are the result of years-long, locally driven, collaborative efforts from a diverse set of stakeholders regarding the management of public land in Colorado; and

(11) this subtitle will provide long-term certainty for management of public land in Colorado, protecting the relevant areas in perpetuity for the benefit of the people of the United States.

##### **SEC. 1502. DEFINITION OF STATE.**

In this subtitle, the term “State” means the State of Colorado.

## PART I—CONTINENTAL DIVIDE

## SEC. 1511. DEFINITIONS.

In this part:

(1) COVERED AREA.—The term “covered area” means any area designated as wilderness by the amendments to section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103-77) made by section 1512(a).

(2) HISTORIC LANDSCAPE.—The term “Historic Landscape” means the Camp Hale National Historic Landscape designated by section 1517(a).

(3) RECREATION MANAGEMENT AREA.—The term “Recreation Management Area” means the Tenmile Recreation Management Area designated by section 1514(a).

(4) SECRETARY.—The term “Secretary” means the Secretary of Agriculture.

(5) WILDLIFE CONSERVATION AREA.—The term “Wildlife Conservation Area” means, as applicable—

(A) the Porcupine Gulch Wildlife Conservation Area designated by section 1515(a); and

(B) the Williams Fork Wildlife Conservation Area designated by section 1516(a).

## SEC. 1512. COLORADO WILDERNESS ADDITIONS.

(a) DESIGNATION.—Section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103-77) is amended—

(1) in paragraph (18), by striking “1993,” and inserting “1993, and certain Federal land within the White River National Forest that comprises approximately 6,876 acres, as generally depicted as ‘Proposed Ptarmigan Peak Wilderness Additions’ on the map entitled ‘Proposed Ptarmigan Peak Wilderness Additions’ and dated January 23, 2018,”; and

(2) by adding at the end the following:

“(23) HOLY CROSS WILDERNESS ADDITION.—Certain Federal land within the White River National Forest that comprises approximately 3,902 acres, as generally depicted as ‘Proposed Megan Dickie Wilderness Addition’ on the map entitled ‘Holy Cross Wilderness Addition Proposal’ and dated January 23, 2018, which shall be incorporated into, and managed as part of, the Holy Cross Wilderness designated by section 102(a)(5) of Public Law 96-560 (94 Stat. 3266).

“(24) HOOSIER RIDGE WILDERNESS.—Certain Federal land within the White River National Forest that comprises approximately 5,235 acres, as generally depicted on the map entitled ‘Tenmile Proposal’ and dated January 23, 2018, which shall be known as the ‘Hoosier Ridge Wilderness’.

“(25) TENMILE WILDERNESS.—Certain Federal land within the White River National Forest that comprises approximately 7,606 acres, as generally depicted as ‘Proposed Tenmile Wilderness’ on the map entitled ‘Tenmile Proposal’ and dated January 23, 2018, which shall be known as the ‘Tenmile Wilderness’.

“(26) EAGLES NEST WILDERNESS ADDITIONS.—Certain Federal land within the White River National Forest that comprises approximately 9,419 acres, as generally depicted as ‘Proposed Freeman Creek Wilderness Addition’ and ‘Proposed Spraddle Creek Wilderness Addition’ on the map entitled ‘Eagles Nest Wilderness Additions Proposal’ and dated January 23, 2018, which shall be incorporated into, and managed as part of, the Eagles Nest Wilderness designated by Public Law 94-352 (90 Stat. 870).”.

(b) APPLICABLE LAW.—Any reference in the Wilderness Act (16 U.S.C. 1131 et seq.) to the effective date of that Act shall be considered to be a reference to the date of enactment of this Act for purposes of administering a covered area.

(c) FIRE, INSECTS, AND DISEASES.—In accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)), the Secretary may carry out any activity in a covered area

that the Secretary determines to be necessary for the control of fire, insects, and diseases, subject to such terms and conditions as the Secretary determines to be appropriate.

(d) GRAZING.—The grazing of livestock on a covered area, if established before the date of enactment of this Act, shall be permitted to continue subject to such reasonable regulations as are considered to be necessary by the Secretary, in accordance with—

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

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

(e) COORDINATION.—For purposes of administering the Federal land designated as wilderness by paragraph (26) of section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103-77) (as added by subsection (a)(2)), the Secretary shall, as determined to be appropriate for the protection of watersheds, coordinate the activities of the Secretary in response to fires and flooding events with interested State and local agencies, including operations using aircraft or mechanized equipment.

## SEC. 1513. WILLIAMS FORK WILDERNESS.

(a) DESIGNATION.—In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.), certain Federal land in the White River National Forest in the State, comprising approximately 8,192 acres and generally depicted as “Proposed Williams Fork Wilderness” on the map entitled “Williams Fork Proposal” and dated January 23, 2018, is designated as a potential wilderness area.

(b) MANAGEMENT.—Subject to valid existing rights and except as provided in subsection (d), the potential wilderness area designated by subsection (a) shall be managed in accordance with—

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

(2) this section.

(c) LIVESTOCK USE OF VACANT ALLOTMENTS.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, in accordance with applicable laws (including regulations), the Secretary shall publish a determination regarding whether to authorize livestock grazing or other use by livestock on the vacant allotments known as—

(A) the “Big Hole Allotment”; and

(B) the “Blue Ridge Allotment”.

(2) MODIFICATION OF ALLOTMENTS.—In publishing a determination pursuant to paragraph (1), the Secretary may modify or combine the vacant allotments referred to in that paragraph.

(3) PERMIT OR OTHER AUTHORIZATION.—Not later than 1 year after the date on which a determination of the Secretary to authorize livestock grazing or other use by livestock is published under paragraph (1), if applicable, the Secretary shall grant a permit or other authorization for that livestock grazing or other use.

(d) RANGE IMPROVEMENTS.—

(1) IN GENERAL.—If the Secretary permits livestock grazing or other use by livestock on the potential wilderness area under subsection (c), the Secretary, or a third party authorized by the Secretary, may use any motorized or mechanized transport or equipment for purposes of constructing or rehabilitating such range improvements as are necessary to obtain appropriate livestock management objectives (including habitat and watershed restoration).

(2) TERMINATION OF AUTHORITY.—The authority provided by this subsection terminates on the date that is 2 years after the

date on which the Secretary publishes a positive determination under subsection (c)(3).

(e) DESIGNATION AS WILDERNESS.—

(1) DESIGNATION.—The potential wilderness area designated by subsection (a) shall be designated as wilderness, to be known as the “Williams Fork Wilderness”.

(A) effective not earlier than the date that is 180 days after the date of enactment this Act; and

(B) on the earliest of—

(i) the date on which the Secretary publishes in the Federal Register a notice that the construction or rehabilitation of range improvements under subsection (d) is complete;

(ii) the date described in subsection (d)(2); and

(iii) the effective date of a determination of the Secretary not to authorize livestock grazing or other use by livestock under subsection (c)(1).

(2) ADMINISTRATION.—Subject to valid existing rights, the Secretary shall manage the Williams Fork Wilderness in accordance with—

(A) the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103-77); and

(B) this part.

## SEC. 1514. TENMILE RECREATION MANAGEMENT AREA.

(a) DESIGNATION.—Subject to valid existing rights, the approximately 16,996 acres of Federal land in the White River National Forest in the State depicted as “Proposed Tenmile Recreation Management Area” on the map entitled “Tenmile Proposal” and dated January 23, 2018, are designated as the “Tenmile Recreation Management Area”.

(b) PURPOSES.—The purposes of the Recreation Management Area are to conserve, protect, and enhance for the benefit and enjoyment of present and future generations the recreational, scenic, watershed, habitat, and ecological resources of the Recreation Management Area.

(c) MANAGEMENT.—

(1) IN GENERAL.—The Secretary shall manage the Recreation Management Area—

(A) in a manner that conserves, protects, and enhances—

(i) the purposes of the Recreation Management Area described in subsection (b); and

(ii) recreation opportunities, including mountain biking, hiking, fishing, horseback riding, snowshoeing, climbing, skiing, camping, and hunting; and

(B) in accordance with—

(i) the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600 et seq.);

(ii) any other applicable laws (including regulations); and

(iii) this section.

(2) USES.—

(A) IN GENERAL.—The Secretary shall only allow such uses of the Recreation Management Area as the Secretary determines would further the purposes described in subsection (b).

(B) VEHICLES.—

(i) IN GENERAL.—Except as provided in clause (iii), the use of motorized vehicles in the Recreation Management Area shall be limited to the roads, vehicle classes, and periods authorized for motorized vehicle use on the date of enactment of this Act.

(ii) NEW OR TEMPORARY ROADS.—Except as provided in clause (iii), no new or temporary road shall be constructed in the Recreation Management Area.

(iii) EXCEPTIONS.—Nothing in clause (i) or (ii) prevents the Secretary from—

(I) rerouting or closing an existing road or trail to protect natural resources from degradation, as the Secretary determines to be appropriate;

(II) authorizing the use of motorized vehicles for administrative purposes or roadside camping;

(III) constructing temporary roads or permitting the use of motorized vehicles to carry out pre- or post-fire watershed protection projects;

(IV) authorizing the use of motorized vehicles to carry out any activity described in subsection (d), (e)(1), or (f); or

(V) responding to an emergency.

(C) COMMERCIAL TIMBER.—

(i) IN GENERAL.—Subject to clause (ii), no project shall be carried out in the Recreation Management Area for the purpose of harvesting commercial timber.

(ii) LIMITATION.—Nothing in clause (i) prevents the Secretary from harvesting or selling a merchantable product that is a byproduct of an activity authorized under this section.

(d) FIRE, INSECTS, AND DISEASES.—The Secretary may carry out any activity, in accordance with applicable laws (including regulations), that the Secretary determines to be necessary to prevent, control, or mitigate fire, insects, or disease in the Recreation Management Area, subject to such terms and conditions as the Secretary determines to be appropriate.

(e) WATER.—

(1) EFFECT ON WATER MANAGEMENT INFRASTRUCTURE.—Nothing in this section affects the construction, repair, reconstruction, replacement, operation, maintenance, or renovation within the Recreation Management Area of—

(A) water management infrastructure in existence on the date of enactment of this Act; or

(B) any future infrastructure necessary for the development or exercise of water rights decreed before the date of enactment of this Act.

(2) APPLICABLE LAW.—Section 3(e) of the James Peak Wilderness and Protection Area Act (Public Law 107-216; 116 Stat. 1058) shall apply to the Recreation Management Area.

(f) REGIONAL TRANSPORTATION PROJECTS.—Nothing in this section precludes the Secretary from authorizing, in accordance with applicable laws (including regulations), the use or leasing of Federal land within the Recreation Management Area for—

(1) a regional transportation project, including—

(A) highway widening or realignment; and

(B) construction of multimodal transportation systems; or

(2) any infrastructure, activity, or safety measure associated with the implementation or use of a facility constructed under paragraph (1).

(g) APPLICABLE LAW.—Nothing in this section affects the designation of the Federal land within the Recreation Management Area for purposes of—

(1) section 138 of title 23, United States Code; or

(2) section 303 of title 49, United States Code.

(h) PERMITS.—Nothing in this section alters or limits—

(1) any permit held by a ski area or other entity; or

(2) the acceptance, review, or implementation of associated activities or facilities proposed or authorized by law or permit outside the boundaries of the Recreation Management Area.

#### SEC. 1515. PORCUPINE GULCH WILDLIFE CONSERVATION AREA.

(a) DESIGNATION.—Subject to valid existing rights, the approximately 8,176 acres of Federal land located in the White River National Forest, as generally depicted on the map entitled “Porcupine Gulch Wildlife Conservation Area Proposal” and dated January 23,

2018, are designated as the “Porcupine Gulch Wildlife Conservation Area” (referred to in this section as the “Wildlife Conservation Area”).

(b) PURPOSES.—The purposes of the Wildlife Conservation Area are—

(1) to conserve and protect a wildlife migration corridor over Interstate 70; and

(2) to conserve, protect, and enhance for the benefit and enjoyment of present and future generations the wildlife, scenic, roadless, watershed, and ecological resources of the Wildlife Conservation Area.

(c) MANAGEMENT.—

(1) IN GENERAL.—The Secretary shall manage the Wildlife Conservation Area—

(A) in a manner that conserves, protects, and enhances the purposes described in subsection (b); and

(B) in accordance with—

(i) the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600 et seq.);

(ii) any other applicable laws (including regulations); and

(iii) this section.

(2) USES.—

(A) IN GENERAL.—The Secretary shall only allow such uses of the Wildlife Conservation Area as the Secretary determines would further the purposes described in subsection (b).

(B) RECREATION.—The Secretary may permit such recreational activities in the Wildlife Conservation Area that the Secretary determines are consistent with the purposes described in subsection (b).

(C) MOTORIZED VEHICLES AND MECHANIZED TRANSPORT; NEW OR TEMPORARY ROADS.—

(i) MOTORIZED VEHICLES AND MECHANIZED TRANSPORT.—Except as provided in clause (iii), the use of motorized vehicles and mechanized transport in the Wildlife Conservation Area shall be prohibited.

(ii) NEW OR TEMPORARY ROADS.—Except as provided in clause (iii) and subsection (e), no new or temporary road shall be constructed within the Wildlife Conservation Area.

(iii) EXCEPTIONS.—Nothing in clause (i) or (ii) prevents the Secretary from—

(I) authorizing the use of motorized vehicles or mechanized transport for administrative purposes;

(II) constructing temporary roads or permitting the use of motorized vehicles or mechanized transport to carry out pre- or post-fire watershed protection projects;

(III) authorizing the use of motorized vehicles or mechanized transport to carry out activities described in subsection (d) or (e); or

(IV) responding to an emergency.

(D) COMMERCIAL TIMBER.—

(i) IN GENERAL.—Subject to clause (ii), no project shall be carried out in the Wildlife Conservation Area for the purpose of harvesting commercial timber.

(ii) LIMITATION.—Nothing in clause (i) prevents the Secretary from harvesting or selling a merchantable product that is a byproduct of an activity authorized under this section.

(d) FIRE, INSECTS, AND DISEASES.—The Secretary may carry out any activity, in accordance with applicable laws (including regulations), that the Secretary determines to be necessary to prevent, control, and mitigate fire, insects, and diseases in the Wildlife Conservation Area, subject to such terms and conditions as the Secretary determines to be appropriate.

(e) REGIONAL TRANSPORTATION PROJECTS.—Nothing in this section precludes the Secretary from authorizing, in accordance with applicable laws (including regulations), the use or leasing of Federal land within the Wildlife Conservation Area for—

(1) a regional transportation project, including—

(A) highway widening or realignment; and

(B) construction of multimodal transportation systems; or

(2) any infrastructure, activity, or safety measure associated with the implementation or use of a facility constructed under paragraph (1).

(f) APPLICABLE LAW.—Nothing in this section affects the designation of the Federal land within the Wildlife Conservation Area for purposes of—

(1) section 138 of title 23, United States Code; or

(2) section 303 of title 49, United States Code.

(g) WATER.—Section 3(e) of the James Peak Wilderness and Protection Area Act (Public Law 107-216; 116 Stat. 1058) shall apply to the Wildlife Conservation Area.

#### SEC. 1516. WILLIAMS FORK WILDLIFE CONSERVATION AREA.

(a) DESIGNATION.—Subject to valid existing rights, the approximately 3,492 acres of Federal land in the White River National Forest in the State, as generally depicted on the map entitled “Williams Fork Proposal” and dated January 23, 2018, are designated as the “Williams Fork Wildlife Conservation Area” (referred to in this section as the “Wildlife Conservation Area”).

(b) PURPOSES.—The purposes of the Wildlife Conservation Area are to conserve, protect, and enhance for the benefit and enjoyment of present and future generations the wildlife, scenic, roadless, watershed, recreational, and ecological resources of the Wildlife Conservation Area.

(c) MANAGEMENT.—

(1) IN GENERAL.—The Secretary shall manage the Wildlife Conservation Area—

(A) in a manner that conserves, protects, and enhances the purposes described in subsection (b); and

(B) in accordance with—

(i) the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600 et seq.);

(ii) any other applicable laws (including regulations); and

(iii) this section.

(2) USES.—

(A) IN GENERAL.—The Secretary shall only allow such uses of the Wildlife Conservation Area as the Secretary determines would further the purposes described in subsection (b).

(B) MOTORIZED VEHICLES.—

(i) IN GENERAL.—Except as provided in clause (iii), the use of motorized vehicles in the Wildlife Conservation Area shall be limited to designated roads and trails.

(ii) NEW OR TEMPORARY ROADS.—Except as provided in clause (iii), no new or temporary road shall be constructed in the Wildlife Conservation Area.

(iii) EXCEPTIONS.—Nothing in clause (i) or (ii) prevents the Secretary from—

(I) authorizing the use of motorized vehicles for administrative purposes;

(II) authorizing the use of motorized vehicles to carry out activities described in subsection (d); or

(III) responding to an emergency.

(C) BICYCLES.—The use of bicycles in the Wildlife Conservation Area shall be limited to designated roads and trails.

(D) COMMERCIAL TIMBER.—

(i) IN GENERAL.—Subject to clause (ii), no project shall be carried out in the Wildlife Conservation Area for the purpose of harvesting commercial timber.

(ii) LIMITATION.—Nothing in clause (i) prevents the Secretary from harvesting or selling a merchantable product that is a byproduct of an activity authorized under this section.

(E) GRAZING.—The laws (including regulations) and policies followed by the Secretary in issuing and administering grazing permits or leases on land under the jurisdiction of

the Secretary shall continue to apply with regard to the land in the Wildlife Conservation Area, consistent with the purposes described in subsection (b).

(d) **FIRE, INSECTS, AND DISEASES.**—The Secretary may carry out any activity, in accordance with applicable laws (including regulations), that the Secretary determines to be necessary to prevent, control, or mitigate fire, insects, or disease in the Wildlife Conservation Area, subject to such terms and conditions as the Secretary determines to be appropriate.

(e) **REGIONAL TRANSPORTATION PROJECTS.**—Nothing in this section precludes the Secretary from authorizing, in accordance with applicable laws (including regulations), the use or leasing of Federal land within the Wildlife Conservation Area for—

(1) a regional transportation project, including—

(A) highway widening or realignment; and  
(B) construction of multimodal transportation systems; or

(2) any infrastructure, activity, or safety measure associated with the implementation or use of a facility constructed under paragraph (1).

(f) **WATER.**—Section 3(e) of the James Peak Wilderness and Protection Area Act (Public Law 107-216; 116 Stat. 1058) shall apply to the Wildlife Conservation Area.

#### **SEC. 1517. CAMP HALE NATIONAL HISTORIC LANDSCAPE.**

(a) **DESIGNATION.**—Subject to valid existing rights, the approximately 28,728 acres of Federal land in the White River National Forest in the State depicted as “Proposed Camp Hale National Historic Landscape” on the map entitled “Camp Hale National Historic Landscape Proposal” and dated January 23, 2018, are designated the “Camp Hale National Historic Landscape”.

(b) **PURPOSES.**—The purposes of the Historic Landscape are—

(1) to provide for—  
(A) the interpretation of historic events, activities, structures, and artifacts of the Historic Landscape, including with respect to the role of the Historic Landscape in local, national, and world history;

(B) the historic preservation of the Historic Landscape, consistent with—

(i) the designation of the Historic Landscape as a national historic site; and

(ii) the other purposes of the Historic Landscape;

(C) recreational opportunities, with an emphasis on the activities related to the historic use of the Historic Landscape, including skiing, snowshoeing, snowmobiling, hiking, horseback riding, climbing, other road- and trail-based activities, and other outdoor activities; and

(D) the continued cleanup of unexploded ordnance and legacy hazards at the Camp Hale Formerly Used Defense Site and the Camp Hale historic cantonment area; and

(2) to conserve, protect, restore, and enhance for the benefit and enjoyment of present and future generations the scenic, watershed, and ecological resources of the Historic Landscape.

(c) **MANAGEMENT.**—

(1) **IN GENERAL.**—The Secretary shall manage the Historic Landscape in accordance with—

(A) the purposes of the Historic Landscape described in subsection (b); and

(B) any other applicable laws (including regulations).

(2) **MANAGEMENT PLAN.**—

(A) **IN GENERAL.**—Not later than 5 years after the date of enactment of this Act, the Secretary shall prepare a management plan for the Historic Landscape.

(B) **CONTENTS.**—The management plan prepared under subparagraph (A) shall include plans for—

(i) improving the interpretation of historic events, activities, structures, and artifacts of the Historic Landscape, including with respect to the role of the Historic Landscape in local, national, and world history;

(ii) conducting historic preservation activities;

(iii) managing recreational opportunities, including the use and stewardship of—

(I) the road and trail systems; and

(II) dispersed recreation resources;

(iv) the conservation, protection, restoration, or enhancement of the scenic, watershed, and ecological resources of the Historic Landscape, including conducting the restoration and enhancement project under subsection (d); and

(v) consistent with subsection (e)(2), the removal of unexploded ordnance and other legacy hazards.

(3) **ENVIRONMENTAL HAZARDS.**—The Secretary shall provide to the Secretary of the Army a notification of any unexploded ordnance (as defined in section 101(e) of title 10, United States Code) that is discovered in the Historic Landscape.

(d) **CAMP HALE RESTORATION AND ENHANCEMENT PROJECT.**—

(1) **IN GENERAL.**—The Secretary shall conduct a restoration and enhancement project in the Historic Landscape—

(A) to improve aquatic, riparian, and wetland conditions in and along the Eagle River and tributaries of the Eagle River;

(B) to maintain or improve recreation and interpretive opportunities and facilities; and

(C) to conserve historic values in the Camp Hale area.

(2) **COORDINATION.**—In carrying out the project described in paragraph (1), the Secretary shall coordinate with—

(A) the Corps of Engineers;

(B) the Camp Hale-Eagle River Headwaters Collaborative Group;

(C) the National Forest Foundation;

(D) the Colorado Department of Public Health and Environment;

(E) the Colorado State Historic Preservation Office;

(F) units of local government; and

(G) other interested organizations and members of the public.

(e) **ENVIRONMENTAL REMEDIATION.**—

(1) **IN GENERAL.**—The Secretary of the Army shall continue to carry out the projects and activities of the Department of the Army in existence on the date of enactment of this Act relating to cleanup of—

(A) the Camp Hale Formerly Used Defense Site; or

(B) the Camp Hale historic cantonment area.

(2) **REMOVAL OF UNEXPLODED ORDNANCE.**—

(A) **IN GENERAL.**—The Secretary of the Army may remove unexploded ordnance (as defined in section 101(e) of title 10, United States Code) from the Historic Landscape, as the Secretary of the Army determines to be appropriate—

(i) in any case in which the unexploded ordnance interferes with the management of the Historic Landscape; or

(ii) to ensure public safety.

(B) **ACTION ON RECEIPT OF NOTICE.**—On receipt from the Secretary of a notification of unexploded ordnance under subsection (c)(3), the Secretary of the Army may remove the unexploded ordnance in accordance with—

(i) the program for environmental restoration of formerly used defense sites under section 2701 of title 10, United States Code;

(ii) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.); and

(iii) any other applicable provision of law (including regulations).

(3) **EFFECT OF SUBSECTION.**—Nothing in this subsection modifies any obligation in exist-

ence on the date of enactment of this Act relating to the remediation or cleanup of any unexploded ordnance or legacy environmental hazard located in or around the Camp Hale historic cantonment area, the Camp Hale Formerly Used Defense Site, or the Historic Landscape, including such an obligation under—

(A) the program for environmental restoration of formerly used defense sites under section 2701 of title 10, United States Code;

(B) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.); or

(C) any other applicable provision of law (including regulations).

(f) **INTERAGENCY AGREEMENT.**—The Secretary and the Secretary of the Army shall enter into an agreement—

(1) to specify—

(A) the responsibility of the Secretary to manage the Historic Landscape; and

(B) the responsibility of the Secretary of the Army for the removal of unexploded ordnance and other legacy hazards in accordance with subsection (e) and other applicable laws; and

(2) to require the Secretary to provide to the Secretary of the Army, by not later than 1 year after the date of enactment of this Act and periodically thereafter, as appropriate, a management plan for the Historic Landscape for purposes of the removal activities described in subsection (e).

(g) **EFFECT.**—Nothing in this section—

(1) affects the jurisdiction of the State over any water law, water right, or adjudication or administration relating to any water resource;

(2) affects any water right in existence on or after the date of enactment of this Act, or the exercise of such a water right, including—

(A) a water right under an interstate water compact (including full development of any apportionment made in accordance with such a compact);

(B) a water right decreed within, above, below, or through the Historic Landscape;

(C) a water right held by the United States;

(D) the management or operation of any reservoir, including the storage, management, release, or transportation of water; and

(E) the construction or operation of such infrastructure as is determined to be necessary by an individual or entity holding water rights to develop and place to beneficial use those rights, subject to applicable Federal, State, and local law (including regulations);

(3) constitutes an express or implied reservation by the United States of any reserved or appropriative water right;

(4) alters or limits—

(A) a permit held by a ski area;

(B) the implementation of activities governed by a ski area permit; or

(C) the authority of the Secretary to modify or expand an existing ski area permit;

(5) prevents the Secretary from closing portions of the Historic Landscape for public safety, environmental remediation, or other use in accordance with applicable laws; or

(6) affects—

(A) any special use permit in effect on the date of enactment of this Act; or

(B) the renewal of a permit described in subparagraph (A).

(h) **FUNDING.**—

(1) **IN GENERAL.**—There is established in the general fund of the Treasury a special account, to be known as the “Camp Hale Historic Preservation and Restoration Fund”.

(2) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the



Camp Hale Historic Preservation and Restoration Fund \$10,000,000, to be available to the Secretary until expended, for activities relating to historic interpretation, preservation, and restoration carried out in and around the Historic Landscape.

**SEC. 1518. WHITE RIVER NATIONAL FOREST BOUNDARY MODIFICATION.**

(a) IN GENERAL.—The boundary of the White River National Forest is modified to include the approximately 120 acres comprised of the SW ¼, the SE ¼, and the NE ¼ of the SE ¼ of sec. 1, T. 2 S., R. 80 W., 6th Principal Meridian, in Summit County in the State.

(b) LAND AND WATER CONSERVATION FUND.—For purposes of section 200306 of title 54, United States Code, the boundaries of the White River National Forest, as modified under subsection (a), shall be considered to be the boundaries of the White River National Forest as in existence on January 1, 1965.

**SEC. 1519. ROCKY MOUNTAIN NATIONAL PARK WILDERNESS BOUNDARY ADJUSTMENT.**

(a) PURPOSE.—The purpose of this section is to provide for the ongoing maintenance and use of portions of the Trail River Ranch and the associated property located within Rocky Mountain National Park in Grand County in the State.

(b) BOUNDARY ADJUSTMENT.—Section 1952(b) of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 1070) is amended by adding at the end the following:

“(3) BOUNDARY ADJUSTMENT.—The boundary of the Wilderness is modified to exclude the potential wilderness comprising approximately 15.5 acres of land identified as ‘Potential Wilderness to Non-wilderness’ on the map entitled ‘Rocky Mountain National Park Proposed Wilderness Area Amendment’ and dated January 16, 2018.”.

**SEC. 1520. ADMINISTRATIVE PROVISIONS.**

(a) FISH AND WILDLIFE.—Nothing in this part affects the jurisdiction or responsibility of the State with respect to fish and wildlife in the State.

(b) NO BUFFER ZONES.—

(1) IN GENERAL.—Nothing in this part or an amendment made by this part establishes a protective perimeter or buffer zone around—

- (A) a covered area;
- (B) a wilderness area or potential wilderness area designated by section 1513;
- (C) the Recreation Management Area;
- (D) a Wildlife Conservation Area; or
- (E) the Historic Landscape.

(2) OUTSIDE ACTIVITIES.—The fact that a nonwilderness activity or use on land outside of a covered area can be seen or heard from within the covered area shall not preclude the activity or use outside the boundary of the covered area.

(c) MAPS AND LEGAL DESCRIPTIONS.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall file maps and legal descriptions of each area described in subsection (b)(1) with—

- (A) the Committee on Natural Resources of the House of Representatives; and
- (B) the Committee on Energy and Natural Resources of the Senate.

(2) FORCE OF LAW.—Each map and legal description filed under paragraph (1) shall have the same force and effect as if included in this part, except that the Secretary may correct any typographical errors in the maps and legal descriptions.

(3) PUBLIC AVAILABILITY.—Each map and legal description filed under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Forest Service.

(d) ACQUISITION OF LAND.—

(1) IN GENERAL.—The Secretary may acquire any land or interest in land within the boundaries of an area described in subsection (b)(1) only through exchange, donation, or purchase from a willing seller.

(2) MANAGEMENT.—Any land or interest in land acquired under paragraph (1) shall be incorporated into, and administered as a part of, the wilderness area, Recreation Management Area, Wildlife Conservation Area, or Historic Landscape, as applicable, in which the land or interest in land is located.

(e) WITHDRAWAL.—Subject to valid rights in existence on the date of enactment of this Act, the areas described in subsection (b)(1) are withdrawn from—

(1) entry, appropriation, and disposal under the public land laws;

(2) location, entry, and patent under mining laws; and

(3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(f) MILITARY OVERFLIGHTS.—Nothing in this part or an amendment made by this part restricts or precludes—

(1) any low-level overflight of military aircraft over any area subject to this part or an amendment made by this part, including military overflights that can be seen, heard, or detected within such an area;

(2) flight testing or evaluation over an area described in paragraph (1); or

(3) the use or establishment of—

(A) any new unit of special use airspace over an area described in paragraph (1); or

(B) any military flight training or transportation over such an area.

**PART II—SAN JUAN MOUNTAINS**

**SEC. 1531. DEFINITIONS.**

In this part:

(1) COVERED LAND.—The term “covered land” means—

(A) land designated as wilderness under paragraphs (27) through (29) of section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) (as added by section 1532); and

(B) a Special Management Area.

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

(3) SPECIAL MANAGEMENT AREA.—The term “Special Management Area” means each of—

(A) the Sheep Mountain Special Management Area designated by section 1533(a)(1); and

(B) the Liberty Bell East Special Management Area designated by section 1533(a)(2).

**SEC. 1532. ADDITIONS TO NATIONAL WILDERNESS PRESERVATION SYSTEM.**

Section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) (as amended by section 1512(a)(2)) is amended by adding at the end the following:

“(27) LIZARD HEAD WILDERNESS ADDITION.—Certain Federal land in the Grand Mesa, Uncompahgre, and Gunnison National Forests comprising approximately 3,141 acres, as generally depicted on the map entitled ‘Proposed Wilson, Sunshine, Black Face and San Bernardo Additions to the Lizard Head Wilderness’ and dated September 6, 2018, which is incorporated in, and shall be administered as part of, the Lizard Head Wilderness.

“(28) MOUNT SNEFFELS WILDERNESS ADDITIONS.—

“(A) LIBERTY BELL AND LAST DOLLAR ADDITIONS.—Certain Federal land in the Grand Mesa, Uncompahgre, and Gunnison National Forests comprising approximately 7,235 acres, as generally depicted on the map entitled ‘Proposed Liberty Bell and Last Dollar Additions to the Mt. Sneffels Wilderness, Liberty Bell East Special Management Area’ and dated September 6, 2018, which is incorporated in, and shall be administered as part of, the Mount Sneffels Wilderness.

“(B) WHITEHOUSE ADDITIONS.—Certain Federal land in the Grand Mesa, Uncompahgre, and Gunnison National Forests comprising approximately 12,465 acres, as generally depicted on the map entitled ‘Proposed Whitehouse Additions to the Mt. Sneffels Wilderness’ and dated September 6, 2018, which is incorporated in, and shall be administered as part of, the Mount Sneffels Wilderness.

“(29) MCKENNA PEAK WILDERNESS.—Certain Federal land in the State of Colorado comprising approximately 8,884 acres of Bureau of Land Management land, as generally depicted on the map entitled ‘Proposed McKenna Peak Wilderness Area’ and dated September 18, 2018, to be known as the ‘McKenna Peak Wilderness’.”.

**SEC. 1533. SPECIAL MANAGEMENT AREAS.**

(a) DESIGNATION.—

(1) SHEEP MOUNTAIN SPECIAL MANAGEMENT AREA.—The Federal land in the Grand Mesa, Uncompahgre, and Gunnison and San Juan National Forests in the State comprising approximately 21,663 acres, as generally depicted on the map entitled “Proposed Sheep Mountain Special Management Area” and dated September 19, 2018, is designated as the “Sheep Mountain Special Management Area”.

(2) LIBERTY BELL EAST SPECIAL MANAGEMENT AREA.—The Federal land in the Grand Mesa, Uncompahgre, and Gunnison National Forests in the State comprising approximately 792 acres, as generally depicted on the map entitled “Proposed Liberty Bell and Last Dollar Additions to the Mt. Sneffels Wilderness, Liberty Bell East Special Management Area” and dated September 6, 2018, is designated as the “Liberty Bell East Special Management Area”.

(b) PURPOSE.—The purpose of the Special Management Areas is to conserve and protect for the benefit and enjoyment of present and future generations the geological, cultural, archaeological, paleontological, natural, scientific, recreational, wilderness, wildlife, riparian, historical, educational, and scenic resources of the Special Management Areas.

(c) MANAGEMENT.—

(1) IN GENERAL.—The Secretary shall manage the Special Management Areas in a manner that—

(A) conserves, protects, and enhances the resources and values of the Special Management Areas described in subsection (b);

(B) subject to paragraph (3), maintains or improves the wilderness character of the Special Management Areas and the suitability of the Special Management Areas for potential inclusion in the National Wilderness Preservation System; and

(C) is in accordance with—

(i) the National Forest Management Act of 1976 (16 U.S.C. 1600 et seq.);

(ii) this part; and

(iii) any other applicable laws.

(2) PROHIBITIONS.—The following shall be prohibited in the Special Management Areas:

(A) Permanent roads.

(B) Except as necessary to meet the minimum requirements for the administration of the Federal land, to provide access for abandoned mine cleanup, and to protect public health and safety—

(i) the use of motor vehicles, motorized equipment, or mechanical transport (other than as provided in paragraph (3)); and

(ii) the establishment of temporary roads.

(3) AUTHORIZED ACTIVITIES.—

(A) IN GENERAL.—The Secretary may allow any activities (including helicopter access for recreation and maintenance and the competitive running event permitted since 1992) that have been authorized by permit or license as of the date of enactment of this Act to continue within the Special Management

Areas, subject to such terms and conditions as the Secretary may require.

(B) **PERMITTING.**—The designation of the Special Management Areas by subsection (a) shall not affect the issuance of permits relating to the activities covered under subparagraph (A) after the date of enactment of this Act.

(C) **BICYCLES.**—The Secretary may permit the use of bicycles in—

(i) the portion of the Sheep Mountain Special Management Area identified as “Ophir Valley Area” on the map entitled “Proposed Sheep Mountain Special Management Area” and dated September 19, 2018; and

(ii) the portion of the Liberty Bell East Special Management Area identified as “Liberty Bell Corridor” on the map entitled “Proposed Liberty Bell and Last Dollar Additions to the Mt. Sneffels Wilderness, Liberty Bell East Special Management Area” and dated September 6, 2018.

(d) **APPLICABLE LAW.**—Water and water rights in the Special Management Areas shall be administered in accordance with section 8 of the Colorado Wilderness Act of 1993 (Public Law 103-77; 107 Stat. 762), except that—

(1) any reference contained in that section to “the lands designated as wilderness by this Act”, “the Piedra, Roubideau, and Tabeguache areas identified in section 9 of this Act, or the Bowen Gulch Protection Area or the Fossil Ridge Recreation Management Area identified in sections 5 and 6 of this Act”, or “the areas described in sections 2, 5, 6, and 9 of this Act” shall be considered to be a reference to “the Special Management Areas”; and

(2) any reference contained in that section to “this Act” shall be considered to be a reference to “part II of subtitle F of title I of the Natural Resources Management Act”.

#### **SEC. 1534. RELEASE OF WILDERNESS STUDY AREAS.**

(a) **DOMINGUEZ CANYON WILDERNESS STUDY AREA.**—Subtitle E of title II of Public Law 111-11 is amended—

(1) by redesignating section 2408 (16 U.S.C. 460zzz-7) as section 2409; and

(2) by inserting after section 2407 (16 U.S.C. 460zzz-6) the following:

##### **“SEC. 2408. RELEASE.**

“(a) **IN GENERAL.**—Congress finds that, for the purposes of section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)), the portions of the Dominguez Canyon Wilderness Study Area not designated as wilderness by this subtitle have been adequately studied for wilderness designation.

“(b) **RELEASE.**—Any public land referred to in subsection (a) that is not designated as wilderness by this subtitle—

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

“(2) shall be managed in accordance with this subtitle and any other applicable laws.”.

(b) **MCKENNA PEAK WILDERNESS STUDY AREA.**—

(1) **IN GENERAL.**—Congress finds that, for the purposes of section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)), the portions of the McKenna Peak Wilderness Study Area in San Miguel County in the State not designated as wilderness by paragraph (29) of section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103-77) (as added by section 1532) have been adequately studied for wilderness designation.

(2) **RELEASE.**—Any public land referred to in paragraph (1) that is not designated as wilderness by paragraph (29) of section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103-77) (as added by section 1532)—

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

(B) shall be managed in accordance with applicable laws.

#### **SEC. 1535. ADMINISTRATIVE PROVISIONS.**

(a) **FISH AND WILDLIFE.**—Nothing in this part affects the jurisdiction or responsibility of the State with respect to fish and wildlife in the State.

(b) **NO BUFFER ZONES.**—

(1) **IN GENERAL.**—Nothing in this part establishes a protective perimeter or buffer zone around covered land.

(2) **ACTIVITIES OUTSIDE WILDERNESS.**—The fact that a nonwilderness activity or use on land outside of the covered land can be seen or heard from within covered land shall not preclude the activity or use outside the boundary of the covered land.

(c) **MAPS AND LEGAL DESCRIPTIONS.**—

(1) **IN GENERAL.**—As soon as practicable after the date of enactment of this Act, the Secretary or the Secretary of the Interior, as appropriate, shall file a map and a legal description of each wilderness area designated by paragraphs (27) through (29) of section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103-77) (as added by section 1532) and the Special Management Areas with—

(A) the Committee on Natural Resources of the House of Representatives; and

(B) the Committee on Energy and Natural Resources of the Senate.

(2) **FORCE OF LAW.**—Each map and legal description filed under paragraph (1) shall have the same force and effect as if included in this part, except that the Secretary or the Secretary of the Interior, as appropriate, may correct any typographical errors in the maps and legal descriptions.

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

(d) **ACQUISITION OF LAND.**—

(1) **IN GENERAL.**—The Secretary or the Secretary of the Interior, as appropriate, may acquire any land or interest in land within the boundaries of a Special Management Area or the wilderness designated under paragraphs (27) through (29) of section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103-77) (as added by section 1532) only through exchange, donation, or purchase from a willing seller.

(2) **MANAGEMENT.**—Any land or interest in land acquired under paragraph (1) shall be incorporated into, and administered as a part of, the wilderness or Special Management Area in which the land or interest in land is located.

(e) **GRAZING.**—The grazing of livestock on covered land, if established before the date of enactment of this Act, shall be permitted to continue subject to such reasonable regulations as are considered to be necessary by the Secretary with jurisdiction over the covered land, in accordance with—

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

(2) the applicable guidelines set forth in Appendix A of the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 2570 of the 101st Congress (H. Rept. 101-405) or H.R. 5487 of the 96th Congress (H. Rept. 96-617).

(f) **FIRE, INSECTS, AND DISEASES.**—In accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)), the Secretary with jurisdiction over a wilderness area designated by paragraphs (27) through (29) of section 2(a) of the Colorado Wilderness Act

of 1993 (16 U.S.C. 1132 note; Public Law 103-77) (as added by section 1532) may carry out any activity in the wilderness area that the Secretary determines to be necessary for the control of fire, insects, and diseases, subject to such terms and conditions as the Secretary determines to be appropriate.

(g) **WITHDRAWAL.**—Subject to valid rights in existence on the date of enactment of this Act, the covered land and the approximately 6,590 acres generally depicted on the map entitled “Proposed Naturita Canyon Mineral Withdrawal Area” and dated September 6, 2018, is withdrawn from—

(1) entry, appropriation, and disposal under the public land laws;

(2) location, entry, and patent under mining laws; and

(3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

#### **PART III—THOMPSON DIVIDE**

##### **SEC. 1541. PURPOSES.**

The purposes of this part are—

(1) subject to valid existing rights, to withdraw certain Federal land in the Thompson Divide area from mineral and other disposal laws; and

(2) to promote the capture of methane gas that would otherwise be emitted into the atmosphere—

(A) to reduce greenhouse gas emissions; and

(B) to provide—

(i) new renewable electricity supplies; and

(ii) increased royalties for taxpayers.

##### **SEC. 1542. DEFINITIONS.**

In this part:

(1) **THOMPSON DIVIDE LEASE.**—

(A) **IN GENERAL.**—The term “Thompson Divide lease” means any oil or gas lease in effect on the date of enactment of this Act within the Thompson Divide Withdrawal and Protection Area.

(B) **EXCLUSIONS.**—The term “Thompson Divide lease” does not include any oil or gas lease that—

(i) is associated with a Wolf Creek Storage Field development right; or

(ii) before the date of enactment of this Act, has expired, been cancelled, or otherwise terminated.

(2) **THOMPSON DIVIDE MAP.**—The term “Thompson Divide map” means the map entitled “Greater Thompson Divide Area Map” and dated September 22, 2016.

(3) **THOMPSON DIVIDE WITHDRAWAL AND PROTECTION AREA.**—The term “Thompson Divide Withdrawal and Protection Area” means the Federal land and minerals generally depicted on the Thompson Divide map as the “Thompson Divide Withdrawal and Protection Area”.

(4) **WOLF CREEK STORAGE FIELD DEVELOPMENT RIGHT.**—

(A) **IN GENERAL.**—The term “Wolf Creek Storage Field development right” means a development right for any of the Federal mineral leases numbered COC 007496, COC 007497, COC 007498, COC 007499, COC 007500, COC 007538, COC 008128, COC 015373, COC 0128018, COC 051645, and COC 051646, and generally depicted on the Thompson Divide map as “Wolf Creek Storage Agreement”.

(B) **EXCLUSIONS.**—The term “Wolf Creek Storage Field development right” does not include any storage right or related activity within the area described in subparagraph (A).

##### **SEC. 1543. THOMPSON DIVIDE WITHDRAWAL AND PROTECTION AREA.**

(a) **WITHDRAWAL.**—Subject to valid existing rights, the Thompson Divide Withdrawal and Protection Area is withdrawn from all forms of—

(1) entry, appropriation, and disposal under the public land laws;

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

(3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(b) **SURVEYS.**—The exact acreage and legal description of the Thompson Divide Withdrawal and Protection Area shall be determined by surveys approved by the Secretary, in consultation with the Secretary of Agriculture.

**SEC. 1544. THOMPSON DIVIDE LEASE EXCHANGE.**

(a) **IN GENERAL.**—In exchange for the relinquishment by a leaseholder of all Thompson Divide leases of the leaseholder, the Secretary may issue to the leaseholder credits for any bid, royalty, or rental payment due under any Federal oil or gas lease on Federal land in the State, in accordance with subsection (b).

(b) **AMOUNT OF CREDITS.**—

(1) **IN GENERAL.**—Subject to paragraph (2), the amount of the credits issued to a leaseholder of a Thompson Divide lease relinquished under subsection (a) shall—

(A) be equal to the sum of—

(i) the amount of the bonus bids paid for the applicable Thompson Divide leases;

(ii) the amount of any rental paid for the applicable Thompson Divide leases as of the date on which the leaseholder submits to the Secretary a notice of the decision to relinquish the applicable Thompson Divide leases; and

(iii) the amount of any expenses incurred by the leaseholder of the applicable Thompson Divide leases in the preparation of any drilling permit, sundry notice, or other related submission in support of the development of the applicable Thompson Divide leases as of January 28, 2019, including any expenses relating to the preparation of any analysis under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(B) require the approval of the Secretary.

(2) **EXCLUSION.**—The amount of a credit issued under subsection (a) shall not include any expenses paid by the leaseholder of a Thompson Divide lease for legal fees or related expenses for legal work with respect to a Thompson Divide lease.

(c) **CANCELLATION.**—Effective on relinquishment under this section, and without any additional action by the Secretary, a Thompson Divide lease—

(1) shall be permanently cancelled; and

(2) shall not be reissued.

(d) **CONDITIONS.**—

(1) **APPLICABLE LAW.**—Except as otherwise provided in this section, each exchange under this section shall be conducted in accordance with—

(A) this subtitle; and

(B) other applicable laws (including regulations).

(2) **ACCEPTANCE OF CREDITS.**—The Secretary shall accept credits issued under subsection (a) in the same manner as cash for the payments described in that subsection.

(3) **APPLICABILITY.**—The use of a credit issued under subsection (a) shall be subject to the laws (including regulations) applicable to the payments described in that subsection, to the extent that the laws are consistent with this section.

(4) **TREATMENT OF CREDITS.**—All amounts in the form of credits issued under subsection (a) accepted by the Secretary shall be considered to be amounts received for the purposes of—

(A) section 35 of the Mineral Leasing Act (30 U.S.C. 191); and

(B) section 20 of the Geothermal Steam Act of 1970 (30 U.S.C. 1019).

(e) **WOLF CREEK STORAGE FIELD DEVELOPMENT RIGHTS.**—

(1) **CONVEYANCE TO SECRETARY.**—As a condition precedent to the relinquishment of a Thompson Divide lease, any leaseholder with a Wolf Creek Storage Field development

right shall permanently relinquish, transfer, and otherwise convey to the Secretary, in a form acceptable to the Secretary, all Wolf Creek Storage Field development rights of the leaseholder.

(2) **LIMITATION OF TRANSFER.**—An interest acquired by the Secretary under paragraph (1)—

(A) shall be held in perpetuity; and

(B) shall not be—

(i) transferred;

(ii) reissued; or

(iii) otherwise used for mineral extraction.

**SEC. 1545. METHANE LEASING IN LOWER NORTH FORK VALLEY.**

(a) **INVENTORY.**—Not later than 1 year after the date of enactment of this Act, the Secretary shall complete, or shall collaborate with agencies of the State or with institutions of higher education in the State to complete, an inventory of all significant emissions of methane in the North Fork Valley in the State, including methane emissions from active, inactive, and abandoned coal mines.

(b) **LEASING PROGRAM.**—

(1) **IN GENERAL.**—Not later than 1 year after the date of completion of the inventory required under subsection (a), the Secretary shall carry out, to the extent permissible under applicable law, a program to offer for lease Federal methane from active, inactive, and abandoned coal mines where methane is escaping into the atmosphere, subject to valid existing rights.

(2) **CONDITIONS.**—The program carried out under paragraph (1) shall—

(A) only include methane that can be collected and transported in a manner that does not—

(i) endanger the safety of coal mine workers; or

(ii) unreasonably interfere with ongoing operations at coal mines; and

(B) provide for the owners or operators of mines with leases that overlap potential methane leases under the program carried out under paragraph (1) to elect to remove the areas from potential methane leasing under the program, if the owner or operator determines that the conditions described in subparagraph (A) are not met.

(c) **COAL MINE METHANE ELECTRICAL POWER GENERATION DEMONSTRATION PROGRAM.**—

(1) **IN GENERAL.**—Not later than 2 years after the date of completion of the inventory required under subsection (a), the Secretary shall consult with the eligible entities described in paragraph (2) to develop a program to facilitate the sale and delivery of methane from active, inactive, and abandoned coal mines where methane is escaping into the atmosphere to 1 or more of the eligible entities to demonstrate the feasibility, cost-effectiveness, and environmental benefits of producing electrical power from methane that—

(A) is subject to subsection (b); but

(B) has not been leased under that subsection.

(2) **DESCRIPTION OF ELIGIBLE ENTITIES.**—An eligible entity referred to in paragraph (1) is any rural electric utility, energy cooperative, or municipal utility the service area boundaries of which are located within 100 miles of Paonia in the State.

(3) **ESTABLISHMENT OF PRICING.**—The Secretary shall establish pricing for the sale and delivery of methane under paragraph (1) that is sufficient to reimburse all costs to the Secretary for the implementation and management of the demonstration program under that paragraph.

(4) **CONTRACTS.**—The Secretary may enter into a contract with the State or 1 or more institutions of higher education in the State to provide services to the eligible entities described in paragraph (2) to facilitate the program under paragraph (1), with all related

costs to be included in the pricing established under paragraph (3).

**SEC. 1546. EFFECT.**

Except as expressly provided in this part, nothing in this part—

(1) expands, diminishes, or impairs any valid existing mineral leases, mineral interest, or other property rights wholly or partially within the Thompson Divide Withdrawal and Protection Area, including access to the leases, interests, rights, or land in accordance with applicable Federal, State, and local laws (including regulations);

(2) prevents the capture of methane from any active, inactive, or abandoned coal mine covered by this part, in accordance with applicable laws; or

(3) prevents access to, or the development of, any new or existing coal mine or lease in Delta or Gunnison County in the State.

**PART IV—CURECANTI NATIONAL RECREATION AREA**

**SEC. 1551. DEFINITIONS.**

In this part:

(1) **MAP.**—The term “map” means the map entitled “Curecanti National Recreation Area, Proposed Boundary”, numbered 616/100,485C, and dated August 11, 2016.

(2) **NATIONAL RECREATION AREA.**—The term “National Recreation Area” means the Curecanti National Recreation Area established by section 1552(a).

**SEC. 1552. CURECANTI NATIONAL RECREATION AREA.**

(a) **ESTABLISHMENT.**—Effective beginning on the earlier of the date on which the Secretary approves a request under subsection (c)(2)(B)(i)(I) and the date that is 1 year after the date of enactment of this Act, there shall be established as a unit of the National Park System the Curecanti National Recreation Area, in accordance with this part, consisting of approximately 50,667 acres of land in the State, as generally depicted on the map as “Curecanti National Recreation Area Proposed Boundary”.

(b) **AVAILABILITY OF MAP.**—The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(c) **ADMINISTRATION.**—

(1) **IN GENERAL.**—The Secretary shall administer the National Recreation Area in accordance with—

(A) this part; and

(B) the laws (including regulations) generally applicable to units of the National Park System, including section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753, and 102101 of title 54, United States Code.

(2) **DAM, POWERPLANT, AND RESERVOIR MANAGEMENT AND OPERATIONS.**—

(A) **IN GENERAL.**—Nothing in this part affects or interferes with the authority of the Secretary—

(i) to operate the Uncompahgre Valley Reclamation Project under the reclamation laws;

(ii) to operate the Wayne N. Aspinall Unit of the Colorado River Storage Project under the Act of April 11, 1956 (commonly known as the “Colorado River Storage Project Act”) (43 U.S.C. 620 et seq.); or

(iii) under the Federal Water Project Recreation Act (16 U.S.C. 4601–12 et seq.).

(B) **RECLAMATION LAND.**—

(i) **SUBMISSION OF REQUEST TO RETAIN ADMINISTRATIVE JURISDICTION.**—If, before the date that is 1 year after the date of enactment of this Act, the Commissioner of Reclamation submits to the Secretary a request for the Commissioner of Reclamation to retain administrative jurisdiction over the minimum quantity of land within the land identified on the map as “Lands withdrawn or acquired for Bureau of Reclamation

projects" that the Commissioner of Reclamation identifies as necessary for the effective operation of Bureau of Reclamation water facilities, the Secretary may—

(I) approve, modify, or disapprove the request; and

(II) if the request is approved under subclause (I), make any modifications to the map that are necessary to reflect that the Commissioner of Reclamation has management authority over the minimum quantity of land required to fulfill the reclamation mission.

(ii) TRANSFER OF LAND.—

(I) IN GENERAL.—Administrative jurisdiction over the land identified on the map as "Lands withdrawn or acquired for Bureau of Reclamation projects", as modified pursuant to clause (i)(II), if applicable, shall be transferred from the Commissioner of Reclamation to the Director of the National Park Service by not later than the date that is 1 year after the date of enactment of this Act.

(II) ACCESS TO TRANSFERRED LAND.—

(aa) IN GENERAL.—Subject to item (bb), the Commissioner of Reclamation shall retain access to the land transferred to the Director of the National Park Service under subclause (I) for reclamation purposes, including for the operation, maintenance, and expansion or replacement of facilities.

(bb) MEMORANDUM OF UNDERSTANDING.—The terms of the access authorized under item (aa) shall be determined by a memorandum of understanding entered into between the Commissioner of Reclamation and the Director of the National Park Service not later than 1 year after the date of enactment of this Act.

(3) MANAGEMENT AGREEMENTS.—

(A) IN GENERAL.—The Secretary may enter into management agreements, or modify management agreements in existence on the date of enactment of this Act, relating to the authority of the Director of the National Park Service, the Commissioner of Reclamation, the Director of the Bureau of Land Management, or the Chief of the Forest Service to manage Federal land within, adjacent to, or near the boundary of the National Recreation Area.

(B) STATE LAND.—The Secretary may enter into cooperative management agreements for any land administered by the State that is within, adjacent to, or near the National Recreation Area, in accordance with the cooperative management authority under section 101703 of title 54, United States Code.

(4) RECREATIONAL ACTIVITIES.—

(A) AUTHORIZATION.—Except as provided in subparagraph (B), the Secretary shall allow boating, boating-related activities, hunting, and fishing in the National Recreation Area in accordance with applicable Federal and State laws.

(B) CLOSURES; DESIGNATED ZONES.—

(i) IN GENERAL.—The Secretary, acting through the Superintendent of the National Recreation Area, may designate zones in which, and establish periods during which, no boating, hunting, or fishing shall be permitted in the National Recreation Area under subparagraph (A) for reasons of public safety, administration, or compliance with applicable laws.

(ii) CONSULTATION REQUIRED.—Except in the case of an emergency, any closure proposed by the Secretary under clause (i) shall not take effect until after the date on which the Superintendent of the National Recreation Area consults with—

(I) the appropriate State agency responsible for hunting and fishing activities; and

(II) the Board of County Commissioners in each county in which the zone is proposed to be designated.

(5) LANDOWNER ASSISTANCE.—On the written request of an individual that owns pri-

vate land located not more than 3 miles from the boundary of the National Recreation Area, the Secretary may work in partnership with the individual to enhance the long-term conservation of natural, cultural, recreational, and scenic resources in and around the National Recreation Area—

(A) by acquiring the portion of the private land or interests in private land located not more than 3 miles from the boundary of the National Recreation Area by purchase, exchange, or donation, in accordance with section 1553;

(B) by providing technical assistance to the individual, including cooperative assistance;

(C) through available grant programs; and

(D) by supporting conservation easement opportunities.

(6) WITHDRAWAL.—Subject to valid existing rights, all Federal land within the National Recreation Area is withdrawn from—

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

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

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

(7) GRAZING.—

(A) STATE LAND SUBJECT TO A STATE GRAZING LEASE.—

(i) IN GENERAL.—If State land acquired under this part is subject to a State grazing lease in effect on the date of acquisition, the Secretary shall allow the grazing to continue for the remainder of the term of the lease, subject to the related terms and conditions of user agreements, including permitted stocking rates, grazing fee levels, access rights, and ownership and use of range improvements.

(ii) ACCESS.—A lessee of State land may use established routes within the National Recreation Area to access State land for purposes of administering the lease if the use was established before the date of enactment of this Act, subject to such terms and conditions as the Secretary may require.

(B) STATE AND PRIVATE LAND.—The Secretary may, in accordance with applicable laws, authorize grazing on land acquired from the State or private landowners under section 1553, if grazing was established before the date of acquisition.

(C) PRIVATE LAND.—On private land acquired from a willing seller under section 1553 for the National Recreation Area on which authorized grazing is occurring before the date of enactment of this Act, the Secretary, in consultation with the lessee, may allow the continuation and renewal of grazing on the land based on the terms of negotiation of the individual land acquisition by the lessee on the date of acquisition, subject to applicable law (including regulations).

(D) FEDERAL LAND.—The Secretary shall—

(i) allow, consistent with the grazing leases, uses, and practices in effect as of the date of enactment of this Act, the continuation and renewal of grazing on Federal land located within the boundary of the National Recreation Area on which grazing is allowed before the date of enactment of this Act, unless the Secretary determines that grazing on the Federal land would present unacceptable impacts (as defined in section 1.4.7.1 of the National Park Service document entitled "Management Policies 2006: The Guide to Managing the National Park System") to the natural, cultural, recreational, and scenic resource values and the character of the land within the National Recreation Area; and

(ii) retain all authorities to manage grazing in the National Recreation Area.

(E) TERMINATION OF LEASES.—The Secretary may—

(i) accept the voluntary termination of a lease or permit for grazing; or

(ii) in the case of a lease or permit vacated for a period of 3 or more years, terminate the lease or permit.

(8) WATER RIGHTS.—Nothing in this part—

(A) affects any use or allocation in existence on the date of enactment of this Act of any water, water right, or interest in water;

(B) affects any vested absolute or decreed conditional water right in existence on the date of enactment of this Act, including any water right held by the United States;

(C) affects any interstate water compact in existence on the date of enactment of this Act;

(D) authorizes or imposes any new reserved Federal water right; or

(E) shall be considered to be a relinquishment or reduction of any water right reserved or appropriated by the United States in the State on or before the date of enactment of this Act.

(9) FISHING EASEMENTS.—

(A) IN GENERAL.—Nothing in this part diminishes or alters the fish and wildlife program for the Aspinall Unit developed under section 8 of the Act of April 11, 1956 (commonly known as the "Colorado River Storage Project Act") (70 Stat. 110, chapter 203; 43 U.S.C. 620g), by the United States Fish and Wildlife Service, the Bureau of Reclamation, and the Colorado Division of Wildlife (including any successor in interest to that division) that provides for the acquisition of public access fishing easements as mitigation for the Aspinall Unit (referred to in this paragraph as the "program").

(B) ACQUISITION OF FISHING EASEMENTS.—The Secretary shall continue to fulfill the obligation of the Secretary under the program to acquire 26 miles of class 1 public fishing easements to provide to sportsmen access for fishing within the Upper Gunnison Basin upstream of the Aspinall Unit, subject to the condition that no existing fishing access downstream of the Aspinall Unit shall be counted toward the minimum mileage requirement under the program.

(C) PLAN.—Not later than 1 year after the date of enactment of this Act, the Secretary shall—

(i) develop a plan for fulfilling the obligation of the Secretary described in subparagraph (B); and

(ii) submit to Congress a report that—

(I) includes the plan developed under clause (i); and

(II) describes any progress made in the acquisition of public access fishing easements as mitigation for the Aspinall Unit under the program.

#### SEC. 1553. ACQUISITION OF LAND; BOUNDARY MANAGEMENT.

(a) ACQUISITION.—

(1) IN GENERAL.—The Secretary may acquire any land or interest in land within the boundary of the National Recreation Area.

(2) MANNER OF ACQUISITION.—

(A) IN GENERAL.—Subject to subparagraph (B), land described in paragraph (1) may be acquired under this subsection by—

(i) donation;

(ii) purchase from willing sellers with donated or appropriated funds;

(iii) transfer from another Federal agency; or

(iv) exchange.

(B) STATE LAND.—Land or interests in land owned by the State or a political subdivision of the State may only be acquired by purchase, donation, or exchange.

(b) TRANSFER OF ADMINISTRATIVE JURISDICTION.—

(1) FOREST SERVICE LAND.—

(A) IN GENERAL.—Administrative jurisdiction over the approximately 2,560 acres of land identified on the map as "U.S. Forest

Service proposed transfer to the National Park Service" is transferred to the Secretary, to be administered by the Director of the National Park Service as part of the National Recreation Area.

(B) BOUNDARY ADJUSTMENT.—The boundary of the Gunnison National Forest shall be adjusted to exclude the land transferred to the Secretary under subparagraph (A).

(2) BUREAU OF LAND MANAGEMENT LAND.—Administrative jurisdiction over the approximately 5,040 acres of land identified on the map as "Bureau of Land Management proposed transfer to National Park Service" is transferred from the Director of the Bureau of Land Management to the Director of the National Park Service, to be administered as part of the National Recreation Area.

(3) WITHDRAWAL.—Administrative jurisdiction over the land identified on the map as "Proposed for transfer to the Bureau of Land Management, subject to the revocation of Bureau of Reclamation withdrawal" shall be transferred to the Director of the Bureau of Land Management on relinquishment of the land by the Bureau of Reclamation and revocation by the Bureau of Land Management of any withdrawal as may be necessary.

(C) POTENTIAL LAND EXCHANGE.—

(1) IN GENERAL.—The withdrawal of land identified on the map as "Potential exchange lands" shall be relinquished by the Commissioner of Reclamation and revoked by the Director of Bureau of Land Management and the land shall be transferred to the National Park Service.

(2) EXCHANGE; INCLUSION IN NATIONAL RECREATION AREA.—On transfer of the land described in paragraph (1), the transferred land—

(A) may be exchanged by the Secretary for the private land described in section 1552(c)(5)—

(i) subject to a conservation easement remaining on the transferred land, to protect the scenic resources of the transferred land; and

(ii) in accordance with the laws (including regulations) and policies governing National Park Service land exchanges; and

(B) if not exchanged under subparagraph (A), shall be included in the boundary of the National Recreation Area.

(d) ADDITION TO NATIONAL RECREATION AREA.—Any land within the boundary of the National Recreation Area that is acquired by the United States shall be added to, and managed as a part of, the National Recreation Area.

#### SEC. 1554. GENERAL MANAGEMENT PLAN.

Not later than 3 years after the date on which funds are made available to carry out this part, the Director of the National Park Service, in consultation with the Commissioner of Reclamation, shall prepare a general management plan for the National Recreation Area in accordance with section 100502 of title 54, United States Code.

#### SEC. 1555. BOUNDARY SURVEY.

The Secretary (acting through the Director of the National Park Service) shall prepare a boundary survey and legal description of the National Recreation Area.

**SA 114.** Ms. CORTEZ MASTO submitted an amendment intended to be proposed by her to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

#### Subtitle F—Pershing County, Nevada, Economic Development and Conservation

#### SEC. 1501. DEFINITIONS.

In this subtitle:

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

(2) STATE.—The term "State" means the State of Nevada.

(3) WILDERNESS AREA.—The term "wilderness area" means a wilderness area designated by section 1531(a).

#### PART I—CHECKERBOARD LAND RESOLUTION

##### SEC. 1511. FINDINGS.

Congress finds that—

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

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

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

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

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

(B) simplify management for the Federal Government.

##### SEC. 1512. DEFINITIONS.

In this part:

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

(A) any land administered by the Director of the Bureau of Land Management that is within the area identified on the Map as "Checkerboard Lands Resolution Area" that is designated for disposal by the Secretary through—

(i) the Winnemucca Consolidated Resource Management Plan; or

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

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

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

##### SEC. 1513. SALE OR EXCHANGE OF ELIGIBLE LAND.

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

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

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

(1) local zoning ordinances; and

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

(d) METHOD OF SALE OR EXCHANGE.—

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

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

(B) conducted through—

(i) a sale, which shall be—

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

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

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

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

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

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

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

(3) EXCLUSION.—

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

(B) PUBLICATION IN FEDERAL REGISTER.—If a mass appraisal of eligible land under paragraph (2)(A) is not finalized, or up-to-date and publicly available, before an acre-for-acre exchange described in paragraph (1)(B)(ii) is completed, the Secretary may finalize the exchange if the Secretary publishes in the Federal Register—

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

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

(4) MANAGEMENT PRIORITY AREAS.—

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

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

(I) greater sage-grouse habitat;

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

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

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

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

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

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

(e) WITHDRAWAL.—

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

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

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

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

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

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

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

(f) PARAMETERS FOR SALE OR EXCHANGE.—

(1) SALES.—

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

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

(2) DEADLINE FOR EXCHANGES.—Except as provided in paragraph (3), not later than 1 year after the date on which the Management Priority Areas are identified under subsection (d)(4)(A), and not less frequently than once per year thereafter until the date on which all of the parcels of eligible land have been disposed of or the date on which the County requests a postponement under paragraph (3), the Secretary shall offer for exchange the parcels of eligible land jointly selected under subsection (b).

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

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

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

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

#### SEC. 1514. DISPOSITION OF PROCEEDS.

(a) DISPOSITION OF PROCEEDS.—Of the proceeds from the sale of land under section 1513 or 1521—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(c) REPORTS.—

(1) IN GENERAL.—Beginning with fiscal year 2020, and once every 5 fiscal years thereafter, not later than 60 days after the last day of the preceding fiscal year, the Secretary shall submit to the State, the County, and the appropriate committees of Congress a report on the operation of the special account established under subsection (a)(3) for the preceding 5 fiscal years.

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

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

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

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

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

### PART II—LAND CONVEYANCES AND TRANSFERS

#### SEC. 1521. CONVEYANCES OF COVERED LAND.

(a) DEFINITIONS.—In this section:

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

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

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

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

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

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

(ii) that has paid (or whose agent has paid) the annual claim maintenance fee or filed a maintenance fee waiver on or before September 1, 2016, with the authority or consent of the owner, for the upcoming assessment year for the mining claims, millsites, or tunnel sites within the exterior boundary of the portion of covered land, as determined based on the claim maintenance fee records of the Bureau of Land Management as of the date of introduction of this Act; and

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

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

(b) LAND CONVEYANCES.—

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

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

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

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

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

(B) the Uniform Standards of Professional Appraisal Practice.

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

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

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

(c) DISPOSITION OF PROCEEDS.—Any amounts collected under this section shall be disposed of in accordance with section 1514.



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

**SEC. 1522. CONVEYANCE OF LAND FOR USE AS A PUBLIC CEMETERY.**

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

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

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

**PART III—WILDERNESS AREAS**

**SEC. 1531. ADDITIONS TO THE NATIONAL WILDERNESS PRESERVATION SYSTEM.**

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

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

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

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

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

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

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

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

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

(c) **MAP AND LEGAL DESCRIPTION.**—

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

(2) **EFFECT.**—Each map and legal description prepared under paragraph (1) shall have

the same force and effect as if included in this subtitle, except that the Secretary may correct clerical and typographical errors in the map or legal description.

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

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

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

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

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

**SEC. 1532. ADMINISTRATION.**

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

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

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

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

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

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

(c) **INCORPORATION OF ACQUIRED LAND AND INTERESTS.**—Any land or interest in land within the boundary of a wilderness area that is acquired by the United States after the date of enactment of this Act shall be added to and administered as part of the wilderness area.

(d) **ADJACENT MANAGEMENT.**—

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

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

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

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

(2) flight testing and evaluation; or

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

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

(g) **CLIMATOLOGICAL DATA COLLECTION.**—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.) and subject to such terms

and conditions as the Secretary may prescribe, the Secretary may authorize the installation and maintenance of hydrologic, meteorologic, or climatological data collection devices in the wilderness areas if the Secretary determines that the facilities and access to the facilities are essential to flood warning, flood control, or water reservoir operation activities.

(h) **WATER RIGHTS.**—

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

(A) the wilderness areas are located—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(5) **NEW PROJECTS.**—

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

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

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

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

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

(1) **IN GENERAL.**—Nothing in this subtitle prevents the placement of a temporary telecommunications device for law enforcement or agency administrative purposes in the

Selenite Peak Wilderness in accordance with paragraph (2).

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

(A) be carried out in accordance with—

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

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

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

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

#### SEC. 1533. WILDLIFE MANAGEMENT.

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

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

(1) consistent with relevant wilderness management plans; and

(2) in accordance with—

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

(B) appropriate policies, such as those set forth in Appendix B of the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 2570 of the 101st Congress (House Report 101-405), including noxious weed treatment and the occasional and temporary use of motorized vehicles if the use, as determined by the Secretary, would promote healthy, viable, and more naturally distributed wildlife populations that would enhance wilderness values with the minimal impact necessary to reasonably accomplish those tasks.

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

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

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

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

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

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

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

#### (f) COOPERATIVE AGREEMENT.—

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

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

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

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

#### SEC. 1534. RELEASE OF WILDERNESS STUDY AREAS.

(a) **FINDING.**—Congress finds that, for the purposes of section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)), the approximately 48,600 acres of public land in the portions of the China Mountain, Mt. Limbo, Selenite Mountains, and Tobin Range wilderness study areas that have not been designated as wilderness by section 1531(a) and the portion of the Augusta Mountains wilderness study area within the County that has not been designated as wilderness by section 1531(a) have been adequately studied for wilderness designation.

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

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

(2) shall be managed in accordance with the applicable land use plans adopted under section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712).

#### SEC. 1535. NATIVE AMERICAN CULTURAL AND RELIGIOUS USES.

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

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

**SA 115.** Ms. CORTEZ MASTO submitted an amendment intended to be proposed by her to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 1116, add the following:

(g) **FACILITATION OF PINYON-JUNIPER RELATED PROJECTS.**—

(1) **AVAILABILITY OF SPECIAL ACCOUNT UNDER LINCOLN COUNTY LAND ACT OF 2000.**—Section 5(b) of the Lincoln County Land Act of 2000 (Public Law 106-298; 114 Stat. 1048) is amended—

(A) in paragraph (1)—

(i) in subparagraph (B), by inserting “and implementation” after “development”; and

(ii) in subparagraph (C)—

(I) in clause (i), by striking “; and” at the end and inserting a semicolon; and

(II) by adding at the end the following:

“(iii) development and implementation of comprehensive, cost-effective, and multi-jurisdictional hazardous fuels reduction projects and wildfire prevention planning activities (particularly for pinyon-juniper dominated landscapes) and other rangeland and woodland restoration projects within the County, consistent with the Ely Resource Management Plan or any subsequent revisions or amendments to that plan; and”; and

(B) by adding at the end the following:

“(3) **COOPERATIVE AGREEMENTS.**—The Director of the Bureau of Land Management shall enter into cooperative agreements with the County for County-provided law enforcement and planning related activities approved by the Secretary regarding—

“(A) wilderness in the County designated by the Lincoln County Conservation, Recreation, and Development Act of 2004 (Public Law 108-424; 118 Stat. 2403);

“(B) cultural resources identified, protected, and managed pursuant to that Act;

“(C) planning, management, and law enforcement associated with the Silver State OHV Trail designated by that Act; and

“(D) planning associated with land disposal and related land use authorizations required for utility corridors and rights-of-way to serve land that has been, or is to be, disposed of pursuant to that Act (other than rights-of-way granted pursuant to that Act) and this Act.”.

(2) **AVAILABILITY OF SPECIAL ACCOUNT UNDER LINCOLN COUNTY CONSERVATION, RECREATION, AND DEVELOPMENT ACT OF 2004.**—Section 103 of the Lincoln County Conservation, Recreation, and Development Act of 2004 (Public Law 108-424; 118 Stat. 2405) is amended—

(A) in subsection (b)(3)—

(i) in subparagraph (E), by striking “; and” at the end and inserting a semicolon;

(ii) in subparagraph (F), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following:

“(G) development and implementation of comprehensive, cost-effective, and multi-jurisdictional hazardous fuels reduction and wildfire prevention planning activities (particularly for pinyon-juniper dominated landscapes) and other rangeland and woodland restoration projects within the County, consistent with the Ely Resource Management Plan or any subsequent revisions or amendments to that plan.”; and

(B) by adding at the end the following:

“(d) **COOPERATIVE AGREEMENTS.**—The Director of the Bureau of Land Management shall enter into cooperative agreements with the County for County-provided law enforcement and planning related activities approved by the Secretary regarding—

“(1) wilderness in the County designated by this Act;

“(2) cultural resources identified, protected, and managed pursuant to this Act;

“(3) planning, management, and law enforcement associated with the Silver State OHV Trail designated by this Act; and

“(4) planning associated with land disposal and related land use authorizations required for utility corridors and rights-of-way to serve land that has been, or is to be, disposed of pursuant to this Act (other than rights-of-way granted pursuant to this Act) and the Lincoln County Land Act of 2000 (Public Law 106-298; 114 Stat. 1046).”.

(3) **DISPOSITION OF PROCEEDS.**—

(A) **DISPOSITION OF PROCEEDS UNDER LINCOLN COUNTY LAND ACT OF 2000.**—Section 5(a)(2) of the Lincoln County Land Act of 2000 (Public Law 106-298; 114 Stat. 1047) is amended by inserting “and economic development” after “schools”.

(B) **DISPOSITION OF PROCEEDS UNDER LINCOLN COUNTY CONSERVATION, RECREATION, AND**

DEVELOPMENT ACT OF 2004.—Section 103(b)(2) of the Lincoln County Conservation, Recreation, and Development Act of 2004 (Public Law 108-424; 118 Stat. 2405) is amended by striking “and transportation” and inserting “transportation, and economic development”.

(h) IMPLEMENTATION OF WHITE PINE COUNTY CONSERVATION, RECREATION, AND DEVELOPMENT ACT.—

(1) DISPOSITION OF PROCEEDS.—Section 312 of the White Pine County Conservation, Recreation, and Development Act of 2006 (Public Law 109-432; 120 Stat. 3030) is amended—

(A) in paragraph (2), by striking “and planning” and inserting “municipal water and sewer infrastructure, public electric transmission facilities, public broadband infrastructure, and planning”; and

(B) in paragraph (3)—

(i) in subparagraph (G), by striking “; and” and inserting a semicolon;

(ii) in subparagraph (H), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following:

“(I) processing by a government entity of public land use authorizations and rights-of-way relating to the development of land conveyed to the County under this Act, with an emphasis on authorizations and rights-of-way relating to any infrastructure needed for the expansion of the White Pine County Industrial Park under section 352(c)(2).”.

(2) CONVEYANCE TO WHITE PINE COUNTY, NEVADA.—Section 352 of the White Pine County Conservation, Recreation, and Development Act of 2006 (Public Law 109-432; 120 Stat. 3039) is amended—

(A) in subsection (a), by striking “the Secretary” and inserting “not later than December 31, 2020, the Secretary”; and

(B) in subsection (c)(3)(B)(i), by striking “through a competitive bidding process” and inserting “consistent with section 244 of the Nevada Revised Statutes (as in effect on the date of enactment of the Natural Resources Management Act)”; and

(C) by adding at the end the following:

“(e) DEADLINE.—If the Secretary has not conveyed to the County the parcels of land described in subsection (b) by December 31, 2020, the Secretary shall immediately convey to the County, without consideration, all right, title, and interest of the United States in and to the parcels of land.”.

**SA 116.** Ms. CORTEZ MASTO submitted an amendment intended to be proposed by her to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title I, add the following:

**SEC. 11. PROHIBITION OF OIL AND GAS LEASING, RUBY MOUNTAINS RANGER DISTRICT.**

(a) DEFINITION OF DISTRICT LAND.—In this section, the term “District land” means the approximately 450,000 acres of National Forest System land comprising the Ruby Mountains Ranger District of the Humboldt-Toiyabe National Forest, Elko and White Pine Counties, Nevada, as in existence on the date of enactment of this Act.

(b) PROHIBITION.—Subject to valid existing rights in existence on the date of enactment of this Act, the Secretary shall not issue under any law, including the Mineral Leasing Act (30 U.S.C. 181 et seq.), an oil or gas lease on the District land.

(c) APPLICATION.—The prohibition under subsection (b) shall apply to any land or interest in land that is acquired by the United States after the date of enactment of this

Act for inclusion in the Ruby Mountains Ranger District.

**SA 117.** Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. REPEAL OF PERCENTAGE DEPLETION ALLOWANCE FOR CERTAIN HARDROCK MINES.**

(a) IN GENERAL.—Section 613(a) of the Internal Revenue Code of 1986 is amended by inserting “(other than hardrock mines located on lands subject to the general mining laws or on land patented under the general mining laws)” after “In the case of the mines”.

(b) GENERAL MINING LAWS DEFINED.—Section 613 of the Internal Revenue Code of 1986 is amended by adding at the end the following:

“(f) GENERAL MINING LAWS.—For purposes of subsection (a), the term ‘general mining laws’ means those Acts which generally comprise chapters 2, 11, 12, 12A, 15, and 16, and sections 161 and 162, of title 30, United States Code.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2019.

**SA 118.** Mrs. SHAHEEN (for herself and Ms. COLLINS) submitted an amendment intended to be proposed by her to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title II, add the following:

**SEC. 24. NATIONAL RECREATIONAL PASSES FOR DISABLED VETERANS.**

Section 805(b) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6804(b)) is amended by striking paragraph (2) and inserting the following:

“(2) DISABILITY DISCOUNT.—The Secretary shall make the National Parks and Federal Recreational Lands Pass available, without charge and for the lifetime of the passholder, to the following:

“(A) Any United States citizen or person domiciled in the United States who has been medically determined to be permanently disabled for purposes of section 7(20)(A)(i) of the Rehabilitation Act of 1973 (29 U.S.C. 705(20)(A)(i)), if the citizen or person provides adequate proof of the disability and such citizenship or residency.

“(B) Any veteran who has been found to have a compensable or noncompensable service-connected disability under title 38, United States Code.”.

**SA 119.** Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3001 and insert the following:

**SEC. 3001. LAND AND WATER CONSERVATION FUND.**

(a) REAUTHORIZATION.—Section 200302 of title 54, United States Code, is amended—

(1) in subsection (b), in the matter preceding paragraph (1), by striking “September

30, 2018” and inserting “September 30, 2043”; and

(2) in subsection (c)(1), by striking “September 30, 2018” and inserting “September 30, 2043”.

(b) ALLOCATION OF FUNDS.—Section 200304 of title 54, United States Code, is amended—

(1) by striking “There” and inserting the following:

“(a) IN GENERAL.—There”; and

(2) by striking the second sentence and inserting the following:

“(b) ALLOCATION.—

“(1) IN GENERAL.—Of the appropriations from the Fund—

“(A) not less than 60 percent shall be used collectively to provide financial assistance to States under section 200305;

“(B) not less than 30 percent shall be used collectively for Federal purposes under section 200306; and

“(C) not less than 10 percent shall be used collectively—

“(i) for the Forest Legacy Program established under section 7 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2103c);

“(ii) for cooperative endangered species grants authorized under section 6 of the Endangered Species Act of 1973 (16 U.S.C. 1535); and

“(iii) for the American Battlefield Protection Program established under chapter 3081.

“(2) REQUIREMENT.—Of the appropriations from the Fund, not less than 1.5 percent or \$10,000,000, whichever is greater, shall be used for projects that secure recreational public access to Federal public land for hunting, fishing, or other recreational purposes.”.

**SA 120.** Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 3001, add the following:

(f) ALLOWABLE PURPOSES.—Section 200306(a) of title 54, United States Code, is amended—

(1) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

(2) by inserting after paragraph (2) the following:

“(3) CONSERVATION ACTIVITIES.—Amounts shall be allotted for conservation activities, including invasive species control, prevention, and mitigation efforts, to improve the ecological health of Federal land and water resources.”.

**SA 121.** Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

In section 3001, strike subsection (a) and insert the following:

(a) IN GENERAL.—Section 200302 of title 54, United States Code, is amended—

(1) in subsection (b), in the matter preceding paragraph (1), by striking “September 30, 2018” and inserting “September 30, 2043”; and

(2) in subsection (c)(1), by striking “September 30, 2018” and inserting “September 30, 2043”.

**SA 122.** Mr. DAINES (for himself and Mr. TESTER) submitted an amendment intended to be proposed to amendment

SA 111 submitted by Ms. MURKOWSKI (for herself and Mr. MANCHIN) and intended to be proposed to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

**Subtitle H—Clean Water for Rural Communities**

**SEC. 8701. PURPOSE.**

The purpose of this subtitle is to ensure a safe and adequate municipal, rural, and industrial water supply for the citizens of—

(1) Dawson, Garfield, McCone, Prairie, Richland, Judith Basin, Wheatland, Golden Valley, Fergus, Yellowstone, and Musselshell Counties in the State of Montana; and

(2) McKenzie County, North Dakota.

**SEC. 8702. DEFINITIONS.**

In this subtitle:

(1) **AUTHORITY.**—The term “Authority” means—

(A) the Central Montana Regional Water Authority, a publicly owned nonprofit water authority formed in accordance with Mont. Code Ann. Sec. 75-6-302 (2007); and

(B) any nonprofit successor entity to the Authority described in subparagraph (A).

(2) **MUSSELHELL-JUDITH RURAL WATER SYSTEM.**—The term “Musselshell-Judith Rural Water System” means the Musselshell-Judith Rural Water System authorized under section 8703(a), with a project service area that includes—

(A) Judith Basin, Wheatland, Golden Valley, and Musselshell Counties in the State;

(B) the portion of Yellowstone County in the State within 2 miles of State Highway 3 and within 4 miles of the county line between Golden Valley and Yellowstone Counties in the State, inclusive of the Town of Broadview, Montana; and

(C) the portion of Fergus County in the State within 2 miles of U.S. Highway 87 and within 4 miles of the county line between Fergus and Judith Basin Counties in the State, inclusive of the Town of Moore, Montana.

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

**SEC. 8703. MUSSELHELL-JUDITH RURAL WATER SYSTEM.**

(a) **AUTHORIZATION.**—The Secretary may carry out the planning, design, and construction of the Musselshell-Judith Rural Water System in a manner that is substantially in accordance with the feasibility report entitled “Musselshell-Judith Rural Water System Feasibility Report” (including any and all revisions of the report).

(b) **COOPERATIVE AGREEMENT.**—The Secretary shall enter into a cooperative agreement with the Authority to provide Federal assistance for the planning, design, and construction of the Musselshell-Judith Rural Water System.

(c) **COST-SHARING REQUIREMENT.**—

(1) **FEDERAL SHARE.**—

(A) **IN GENERAL.**—The Federal share of the costs relating to the planning, design, and construction of the Musselshell-Judith Rural Water System shall not exceed 65 percent of the total cost of the Musselshell-Judith Rural Water System.

(B) **LIMITATION.**—Amounts made available under subparagraph (A) shall not be returnable or reimbursable under the reclamation laws.

(2) **USE OF FEDERAL FUNDS.**—

(A) **GENERAL USES.**—Subject to subparagraph (B), the Musselshell-Judith Rural Water System may use Federal funds made available to carry out this section for—

(i) facilities relating to—

(I) water pumping;

(II) water treatment;

(III) water storage;

(IV) water supply wells;

(V) distribution pipelines; and

(VI) control systems;

(ii) transmission pipelines;

(iii) pumping stations;

(iv) appurtenant buildings, maintenance equipment, and access roads;

(v) any interconnection facility that connects a pipeline of the Musselshell-Judith Rural Water System to a pipeline of a public water system;

(vi) electrical power transmission and distribution facilities required for the operation and maintenance of the Musselshell-Judith Rural Water System;

(vii) any other facility or service required for the development of a rural water distribution system, as determined by the Secretary; and

(viii) any property or property right required for the construction or operation of a facility described in this subsection.

(B) **LIMITATION.**—Federal funds made available to carry out this section shall not be used for the operation, maintenance, or replacement of the Musselshell-Judith Rural Water System.

(C) **TITLE.**—Title to the Musselshell-Judith Rural Water System shall be held by the Authority.

**SEC. 8704. DRY-REDWATER FEASIBILITY STUDY.**

(a) **DEFINITIONS.**—In this section:

(1) **DRY-REDWATER REGIONAL WATER AUTHORITY.**—The term “Dry-Redwater Regional Water Authority” means—

(A) the Dry-Redwater Regional Water Authority, a publicly owned nonprofit water authority formed in accordance with Mont. Code Ann. § 75-6-302 (2007); and

(B) any nonprofit successor entity to the Authority described in subparagraph (A).

(2) **DRY-REDWATER REGIONAL WATER AUTHORITY SYSTEM.**—The term “Dry-Redwater Regional Water Authority System” means the project entitled the “Dry-Redwater Regional Water Authority System”, with a project service area that includes—

(A) Garfield and McCone Counties in the State;

(B) the area west of the Yellowstone River in Dawson and Richland Counties in the State;

(C) T. 15 N. (including the area north of the Township) in Prairie County in the State; and

(D) the portion of McKenzie County, North Dakota, that includes all land that is located west of the Yellowstone River in the State of North Dakota.

(3) **RECLAMATION FEASIBILITY STANDARDS.**—The term “reclamation feasibility standards” means the eligibility criteria and feasibility study requirements described in section 106 of the Reclamation Rural Water Supply Act of 2006 (43 U.S.C. 2405) (as in effect on September 29, 2016).

(4) **SUBMITTED FEASIBILITY STUDY.**—The term “submitted feasibility study” means the feasibility study entitled “Dry-Redwater Regional Water System Feasibility Study” (including revisions of the study), which received funding from the Bureau of Reclamation on September 1, 2010.

(b) **STUDY.**—

(1) **IN GENERAL.**—The Secretary, in consultation with the Dry-Redwater Regional Water Authority, may undertake a study, including a review of the submitted feasibility study, to determine the feasibility of constructing the Dry-Redwater Regional Water System.

(2) **REQUIREMENT.**—The study under paragraph (1) shall comply with the reclamation feasibility standards.

(c) **COOPERATIVE AGREEMENT.**—If the Secretary determines that the study under sub-

section (b) does not comply with the reclamation feasibility standards, the Secretary may enter into a cooperative agreement with the Dry-Redwater Regional Water Authority to complete additional work to ensure that the study complies with the reclamation feasibility standards.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Secretary \$5,000,000 to carry out this section.

(e) **TERMINATION.**—The authority provided by this section shall expire on the date that is 5 years after the date of enactment of this Act.

**SEC. 8705. WATER RIGHTS.**

Nothing in this subtitle—

(1) preempts or affects any State water law; or

(2) affects any authority of a State, as in effect on the date of enactment of this Act, to manage water resources within that State.

**SEC. 8706. AUTHORIZATION OF APPROPRIATIONS.**

(a) **AUTHORIZATION.**—There is authorized to be appropriated to carry out the planning, design, and construction of the Musselshell-Judith Rural Water System, substantially in accordance with the cost estimate set forth in the feasibility report described in section 8703(a), \$56,650,000.

(b) **COST INDEXING.**—The amount authorized to be appropriated under subsection (a) may be increased or decreased in accordance with ordinary fluctuations in development costs incurred after November 1, 2014, as indicated by any available engineering cost indices applicable to construction activities that are similar to the construction of the Musselshell-Judith Rural Water System.

**SA 123.** Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 111 submitted by Ms. MURKOWSKI (for herself and Mr. MANCHIN) and intended to be proposed to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 601, between lines 11 and 12, insert the following:

(JJ) The map entitled “Cape San Blas Unit P30/P30P (1 of 2)” and dated December 19, 2018, with respect to Unit P30 and Unit P30P.

(KK) The map entitled “Cape San Blas Unit P30/P30P (2 of 2)” and dated December 19, 2018, with respect to Unit P30 and Unit P30P.

**SA 124.** Mr. LANKFORD (for himself, Mr. LEE, Mr. INHOFE, Mr. CRUZ, Mr. RUBIO, Mrs. FISCHER, and Mr. BRAUN) submitted an amendment intended to be proposed to amendment SA 111 submitted by Ms. MURKOWSKI (for herself and Mr. MANCHIN) and intended to be proposed to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3001 and insert the following:

**SEC. 3001. LAND AND WATER CONSERVATION FUND.**

(a) **REAUTHORIZATION.**—Section 200302 of title 54, United States Code, is amended—

(1) in subsection (b), in the matter preceding paragraph (1), by striking “September 30, 2018” and inserting “September 30, 2023”; and

(2) in subsection (c)(1), by striking “September 30, 2018” and inserting “September 30, 2023”.

(b) ALLOCATION OF FUNDS.—Section 200304 of title 54, United States Code, is amended—

(1) by striking “There” and inserting “(a) In General.—There”; and

(2) by striking the second sentence and inserting the following:

“(b) ALLOCATION.—Of the appropriations from the Fund—

“(1) not less than 50 percent shall be used to provide financial assistance to States under section 200305; and

“(2) not more than 50 percent shall be used collectively for Federal purposes under section 200306, of which not less than 50 percent shall be used for deferred maintenance needs on Federal land under subsection (a)(2)(D) of that section.”.

(c) CERTAIN LAND ACQUISITION REQUIREMENTS.—Section 200306 of title 54, United States Code, is amended—

(1) in subsection (a), in paragraph (2)—

(A) in the paragraph heading, by striking “OR WATER” and inserting “OR WATER; DEFERRED MAINTENANCE NEEDS”; and

(B) by adding at the end the following:

“(D) DEFERRED MAINTENANCE NEEDS.—Amounts shall be allotted for deferred maintenance needs on Federal land.”; and

(2) by adding at the end the following:

“(c) MAINTENANCE NEEDS.—

“(1) IN GENERAL.—Subject to paragraph (3), funds appropriated for the acquisition of land under this section shall include any funds necessary to address maintenance needs at the time of acquisition on the acquired land.

“(2) ACCEPTANCE OF DONATIONS.—A Federal agency may accept, hold, administer, and use donations to address maintenance needs on land acquired under this section.

“(3) LIMITATION.—If a Federal agency accepts a donation under paragraph (2) to address maintenance needs on land acquired under this section, the funds appropriated for the acquisition under paragraph (1) shall not include funds equivalent to the amount of that donation.

“(d) CONGRESSIONAL APPROVAL OF CERTAIN LAND ACQUISITIONS.—For any acquisition of land under this section for which the cost of the land is greater than \$50,000 per acre, as indexed for United States dollar inflation from the date of enactment of the Natural Resources Management Act (as measured by the Consumer Price Index)—

“(1) before acquiring the land, the Secretary shall submit to Congress a report that describes the land proposed to be acquired; and

“(2) no acquisition may be made unless the proposed acquisition is—

“(A) reported to Congress in accordance with paragraph (1); and

“(B) approved by the enactment of a bill or joint resolution.”.

**SA 125.** Mr. LANKFORD (for himself, Mr. LEE, Mr. INHOFE, Mr. RUBIO, and Mr. BRAUN) submitted an amendment intended to be proposed to amendment SA 111 submitted by Ms. MURKOWSKI (for herself and Mr. MANCHIN) and intended to be proposed to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

In section 3001, strike subsection (b) and insert the following:

(b) ALLOCATION OF FUNDS.—

(1) IN GENERAL.—Section 200304 of title 54, United States Code, is amended—

(A) by striking “There” and inserting “(a) In General.—There”; and

(B) by striking the second sentence and inserting the following:

“(b) ALLOCATION.—Of the appropriations from the Fund—

“(1) not less than 50 percent shall be used to provide financial assistance to States under section 200305; and

“(2) not more than 50 percent shall be used collectively for Federal purposes under section 200306, of which not less than 50 percent shall be used for deferred maintenance needs on Federal land under subsection (a)(2)(D) of that section.”.

(2) CONFORMING AMENDMENT.—Section 200306(a)(2) of title 54, United States Code, is amended—

(A) in the paragraph heading, by striking “OR WATER” and inserting “OR WATER; DEFERRED MAINTENANCE NEEDS”; and

(B) by adding at the end the following:

“(D) DEFERRED MAINTENANCE NEEDS.—Amounts shall be allotted for deferred maintenance needs on Federal land.”.

**SA 126.** Mr. LANKFORD (for himself, Mr. LEE, Mr. INHOFE, Mr. RUBIO, and Mr. BRAUN) submitted an amendment intended to be proposed to amendment SA 111 submitted by Ms. MURKOWSKI (for herself and Mr. MANCHIN) and intended to be proposed to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 3001, add the following:

(f) CERTAIN LAND ACQUISITION REQUIREMENTS.—Section 200306 of title 54, United States Code (as amended by subsection (e)), is amended by adding at the end the following:

“(e) MAINTENANCE NEEDS.—

“(1) IN GENERAL.—Subject to paragraph (3), funds appropriated for the acquisition of land under this section shall include any funds necessary to address maintenance needs at the time of acquisition on the acquired land.

“(2) ACCEPTANCE OF DONATIONS.—A Federal agency may accept, hold, administer, and use donations to address maintenance needs on land acquired under this section.

“(3) LIMITATION.—If a Federal agency accepts a donation under paragraph (2) to address maintenance needs on land acquired under this section, the funds appropriated for the acquisition under paragraph (1) shall not include funds equivalent to the amount of that donation.”.

**SA 127.** Mr. LANKFORD (for himself, Mr. INHOFE, and Mr. BRAUN) submitted an amendment intended to be proposed to amendment SA 111 submitted by Ms. MURKOWSKI (for herself and Mr. MANCHIN) and intended to be proposed to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

In section 200304(b)(1) of title 54, United States Code (as added by section 3001(b)(3)), strike “purposes” and insert “purposes, of which not less than 5 percent shall be used for deferred maintenance needs on Federal land”.

**SA 128.** Mr. ISAKSON (for himself, Mr. KAINE, and Mr. BLUNT) submitted an amendment intended to be proposed to amendment SA 111 submitted by Ms. MURKOWSKI (for herself and Mr. MANCHIN) and intended to be proposed to the bill S. 47, to provide for the man-

agement of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title II, add the following:

#### **SEC. 24. PRESERVATION OF NATIONALLY SIGNIFICANT BATTLEFIELDS.**

(a) CIVIL WAR BATTLEFIELD PRESERVATION ACT OF 2002.—Section 2 of the Civil War Battlefield Preservation Act of 2002 (Public Law 107-359) is amended to read as follows:

#### **“SEC. 2. FINDINGS AND PURPOSES.**

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

“(1) Battlefields of the American Revolution, War of 1812, and the Civil War—

“(A) provide a means for the people of the United States to understand our Nation’s turbulent first century;

“(B) serve as living memorials to those who fought and sacrificed in these conflicts to establish and maintain our freedom and liberty;

“(C) serve as training grounds for our Nation’s Armed Forces; and

“(D) serve as heritage tourism destinations, generating revenue for local economies.

“(2) According to the Report on the Nation’s Civil War Battlefields, prepared by the National Park Service and updated in 2010, of the 383 Civil War battlefields identified as national preservation priorities—

“(A) only at 31 battlefields is more than half of the surviving landscape permanently protected;

“(B) at 227 battlefields, less than half of the surviving landscape is permanently protected;

“(C) 65 battlefields have no protection at all; and

“(D) 113 battlefields have been severely hampered by development since the Civil War or are on the verge of being overwhelmed.

“(3) According to the 2007 Report to Congress on the Historic Preservation of Revolutionary War and War of 1812 Sites in the United States, prepared by the National Park Service, of the 243 principal Revolutionary War and War of 1812 battlefields identified as national preservation priorities—

“(A) almost 70 percent lie within urban areas as denoted in the 2000 U.S. Census;

“(B) 141 are lost or extremely fragmented, with residential and commercial development being the chief threats;

“(C) 100 other battlefields retain significant features and lands from the period of battle, although on average these battlefields retain only 37 percent of the original historic scene;

“(D) of these 100 surviving but diminished battle landscapes, 82 are partially owned and protected by public and nonprofit stewards, although the extent of that protection varies from site to site;

“(E) 18 are without any legal protection;

“(F) the condition of two battlefields is unknown, with additional research and survey being required to determine their exact location and condition; and

“(G) the paucity of existing battlefield landscapes necessitates preservation and maintenance of what precious little remains today.

“(b) PURPOSES.—The purposes of this Act are—

“(1) to act quickly and proactively to preserve and protect nationally significant battlefields of the American Revolution, War of 1812, and Civil War through conservation easements and fee-simple purchases of those battlefields from willing sellers; and

“(2) to create partnerships among State and local governments, regional entities, and the private sector to preserve, conserve, and enhance the visitor experience at nationally significant battlefields of the American Revolution, War of 1812, and Civil War.”.

(b) **PRESERVATION ASSISTANCE.**—Section 308103(f) of title 54, United States Code, is amended to read as follows:

“(f) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Secretary to provide grants under this section \$20,000,000 for each fiscal year through 2028, of which not more than 10 percent may be used each fiscal year as follows:

“(1) Not more than \$1,000,000 for projects and programs that modernize battlefield interpretive and educational assets through the deployment of technology, disbursed through the competitive grant process to non-profit organizations.

“(2) Not more than \$1,000,000 for grants to organizations described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code to be used for projects that restore day-of-battle conditions on land preserved through Battlefield Land Acquisition Grant Program funds.”.

**SA 129.** Mr. BURR (for himself and Mr. TILLIS) submitted an amendment intended to be proposed by him to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VII, add the following:  
**SEC. 70 . WILD HORSES IN AND AROUND THE CURRITUCK NATIONAL WILDLIFE REFUGE.**

(a) **GENETIC DIVERSITY.**—The Secretary, in consultation with the North Carolina Department of Environment and Natural Resources, Currituck County, North Carolina, and the Corolla Wild Horse Fund, shall allow for the introduction of a small number of free-roaming wild horses from the Cape Lookout National Seashore as necessary to ensure the genetic diversity of the wild horse population in and around the Currituck National Wildlife Refuge, consistent with—

(1) the laws (including regulations) applicable to the Currituck National Wildlife Refuge and the Cape Lookout National Seashore; and

(2) the December 2014 Wild Horse Management Agreement approved by the United States Fish and Wildlife Service, the North Carolina Department of Environment and Natural Resources, Currituck County, North Carolina, and the Corolla Wild Horse Fund.

(b) **AGREEMENT.**—

(1) **IN GENERAL.**—The Secretary may enter into an agreement with the Corolla Wild Horse Fund to provide for the cost-effective management of the horses in and around the Currituck National Wildlife Refuge while ensuring that natural resources within the Currituck National Wildlife Refuge are not adversely impacted.

(2) **REQUIREMENTS.**—The agreement entered into under paragraph (1) shall specify that the Corolla Wild Horse Fund shall pay the costs associated with, with respect to the horses in and around the Currituck National Wildlife Refuge—

(A) coordinating and conducting a periodic census, and inspecting the health, of the horses;

(B) maintaining records of the horses living in the wild and in confinement;

(C) coordinating and conducting the removal and placement of horses and monitoring of any horses removed from the Currituck County Outer Banks; and

(D) administering a viable population control plan for the horses, including auctions, adoptions, contraceptive fertility methods, and other viable options.

**SA 130.** Mr. BURR (for himself and Mr. TILLIS) submitted an amendment intended to be proposed by him to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VII, add the following:  
**SEC. 70 . BEACH RENOURISHMENT PROJECTS.**

Section 6(a)(6)(G) of the Coastal Barrier Resources Act (16 U.S.C. 3505(a)(6)(G)) is amended by inserting “, including beach renourishment projects that remove sand material within a System unit for placement on or near a shoreline that is not within the System” after “stabilization system”.

**SA 131.** Mr. MARKEY (for himself and Ms. WARREN) submitted an amendment intended to be proposed by him to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title II, add the following:

**SEC. 24 . CAPE COD NATIONAL SEASHORE ADVISORY COMMISSION.**

Effective September 26, 2018, section 8(a) of Public Law 87-126 (16 U.S.C. 459b-7(a)) is amended in the second sentence by striking “2018” and inserting “2028”.

**SA 132.** Mr. GARDNER submitted an amendment intended to be proposed to amendment SA 111 submitted by Ms. MURKOWSKI (for herself and Mr. MANCHIN) and intended to be proposed to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IX, add the following:

**SEC. 90 . BUREAU OF LAND MANAGEMENT HEADQUARTERS RELOCATION.**

(a) **DEFINITION OF WESTERN STATE.**—In this section, the term “western State” means any of the States of Alaska, Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, or Wyoming.

(b) **STRATEGY FOR RELOCATING THE HEADQUARTERS OF THE BUREAU OF LAND MANAGEMENT FROM WASHINGTON, DC, TO A WESTERN STATE.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a strategy for relocating the headquarters of the Bureau of Land Management from Washington, DC, to a western State in a manner that will save the maximum amount of taxpayer money practicable.

(2) **REQUIREMENTS.**—The strategy submitted under paragraph (1) shall include—

(A) metrics for choosing a location for the relocated headquarters of the Bureau of Land Management;

(B) a description of the determining factors in favor of the relocation; and

(C) a proposed timeline for the relocation.

(c) **AUTHORIZATION FOR RELOCATION OF THE HEADQUARTERS OF THE BUREAU OF LAND MAN-**

AGEMENT FROM WASHINGTON, DC, TO A WESTERN STATE.—Notwithstanding section 72 of title 4, United States Code, the Secretary may relocate the headquarters of the Bureau of Land Management from Washington, DC, to a western State specified by the Secretary.

**SA 133.** Mr. GARDNER submitted an amendment intended to be proposed to amendment SA 111 submitted by Ms. MURKOWSKI (for herself and Mr. MANCHIN) and intended to be proposed to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Before section 9001, insert the following:

**Subtitle A—Good Samaritan Remediation of Orphan Hardrock Mines**

**SEC. 9001. DEFINITIONS.**

In this subtitle:

(1) **ADMINISTRATOR.**—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) **COOPERATING PERSON.**—The term “cooperating person” means any person that is named by the Good Samaritan in the permit application as a cooperating entity.

(3) **FEDERAL LAND MANAGEMENT AGENCY.**—The term “Federal land management agency” means any Federal agency authorized by law or executive order to exercise jurisdiction, custody, or control over land owned by the United States.

(4) **GOOD SAMARITAN.**—The term “Good Samaritan” means a person that, with respect to historic mine residue, as determined by the Administrator—

(A) is not a past or current owner or operator of—

(i) the orphan mine site at which the historic mine residue is located; or

(ii) a portion of that orphan mine site;

(B) had no role in the creation of the historic mine residue; and

(C) is not potentially liable under any Federal, State, Tribal, or local law for the remediation, treatment, or control of the historic mine residue.

(5) **GOOD SAMARITAN PERMIT.**—The term “Good Samaritan permit” means a permit granted by the Administrator under section 9003(a)(1).

(6) **HISTORIC MINE RESIDUE.**—

(A) **IN GENERAL.**—The term “historic mine residue” means mine residue or any condition at an orphan mine site resulting from hardrock mining activities conducted on—

(i) Federal land under sections 2319 through 2352 of the Revised Statutes (commonly known as the “Mining Law of 1872”; 30 U.S.C. 22 et seq.); or

(ii) State or private land.

(B) **INCLUSIONS.**—The term “historic mine residue” includes—

(i) previously mined ores and minerals other than coal that contribute to acid mine drainage or other pollution;

(ii) equipment (including materials in equipment);

(iii) any tailings, heap leach piles, dump leach piles, waste rock, overburden, slag piles, or other waste or material resulting from any extraction, beneficiation, or other processing activity that occurred during the active operation of an orphan mine site;

(iv) any acidic or otherwise polluted flow in surface water or groundwater that originates from, or is pooled and contained in, an inactive or abandoned mine site, such as underground workings, open pits, in-situ leaching operations, ponds, or impoundments;



(v) any hazardous substance (as defined in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601));

(vi) any pollutant or contaminant (as defined in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601)); and

(vii) any pollutant (as defined in section 502 of the Federal Water Pollution Control Act (33 U.S.C. 1362)).

(7) INDIAN TRIBE.—The term “Indian tribe” has the meaning given the term in section 518(h) of the Federal Water Pollution Control Act (33 U.S.C. 1377(h)).

(8) INVESTIGATIVE SAMPLING PERMIT.—The term “investigative sampling permit” means a permit granted by the Administrator under section 9003(d)(1).

(9) ORPHAN MINE SITE.—

(A) IN GENERAL.—The term “orphan mine site” means an abandoned or inactive hardrock mine site and any facility associated with an abandoned or inactive hardrock mine site—

(i) that was used for the production of a mineral other than coal conducted on Federal land under sections 2319 through 2352 of the Revised Statutes (commonly known as the “Mining Law of 1872”; 30 U.S.C. 22 et seq.) or on non-Federal land; and

(ii) for which, based on information supplied by the Good Samaritan after review of publicly available data and after review of other information in the possession of the Administrator, the Administrator or, in the case of a site on land owned by the United States, the Federal land management agency, determines that no responsible owner or operator has been identified—

(I) who is potentially liable for, or has been required to perform or pay for, environmental remediation activities under applicable law; and

(II) other than, in the case of a mine site located on land owned by the United States, a Federal land management agency that has not been involved in mining activity on that land, except that the approval of a plan of operations under the hardrock mining regulations of the applicable Federal land management agency shall not be considered involvement in the mining activity.

(B) INCLUSION.—The term “orphan mine site” includes a hardrock mine site (including associated facilities) that was previously the subject of a completed response action under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) or a similar Federal and State reclamation or cleanup program, including the remediation of mine-scarred land under the brownfields revitalization program under section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(k)).

(C) EXCLUSIONS.—

(i) IN GENERAL.—The term “orphan mine site” does not include a mine site (including associated facilities)—

(I) in a temporary shutdown or cessation;

(II) included on the National Priorities List developed by the President in accordance with section 105(a)(8)(B) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9605(a)(8)(B)) or is proposed for inclusion on that list;

(III) that is the subject of a planned or ongoing response action under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) or a similar Federal and State reclamation or cleanup program;

(IV) that has a responsible owner or operator; or

(V) that actively mined or processed minerals after December 11, 1980.

(10) PASSIVE LANDOWNER.—The term “passive landowner” means an individual who—

(A) owns property containing an orphan mine site;

(B) had no part in the operation of the orphan mine site; and

(C) took ownership of the property described in subparagraph (A) after termination of the mining operation at the orphan mine site.

(11) PERSON.—The term “person” means any entity described in—

(A) section 502(5) of the Federal Water Pollution Control Act (33 U.S.C. 1362(5)); and

(B) section 101(21) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601(21)).

(12) REMEDIATION.—

(A) IN GENERAL.—The term “remediation” means any action taken to investigate, characterize, or cleanup, in whole or in part, a discharge, release, or threat of release of a hazardous substance, pollutant, or contaminant into the environment at or from an orphan mine site, or to otherwise protect and improve human health and the environment.

(B) INCLUSION.—The term “remediation” includes any action to remove, treat, or contain historic mine residue to prevent, minimize, or reduce—

(i) the release or threat of release of a hazardous substance, pollutant, or contaminant that would harm human health or the environment; or

(ii) a migration or discharge of a hazardous substance, pollutant, or contaminant that would harm human health or the environment.

(13) RESERVATION.—The term “reservation” has the meaning given the term “Indian country” in section 1151 of title 18, United States Code.

(14) RESPONSIBLE OWNER OR OPERATOR.—The term “responsible owner or operator” means a person that is—

(A)(i) legally responsible under section 301 of the Federal Water Pollution Control Act (33 U.S.C. 1311) for a discharge that originates from an orphan mine site; and

(ii) financially able to comply with each requirement described in that section; or

(B)(i) a present or past owner or operator or other person that is liable with respect to a release or threat of release of a hazardous substance, pollutant, or contaminant associated with the historic mine residue at or from an orphan mine site under section 104, 106, 107, or 113 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604, 9606, 9607, 9613); and

(ii) financially able to comply with each requirement described in those sections, as applicable.

#### SEC. 9002. SCOPE.

Nothing in this subtitle—

(1) reduces any existing liability;

(2) releases any person from liability, except in compliance with this subtitle;

(3) authorizes the conduct of any mining or processing other than the conduct of any processing of previously mined ores, minerals, wastes, or other materials that is authorized by a Good Samaritan permit;

(4) imposes liability on the United States or a Federal land management agency pursuant to section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9607) or section 301 of the Federal Water Pollution Control Act (33 U.S.C. 1311); or

(5) relieves the United States or any Federal land management agency from any liability under section 107 of the Comprehensive Environmental Response, Compensation,

and Liability Act of 1980 (42 U.S.C. 9607) or section 301 of the Federal Water Pollution Control Act (33 U.S.C. 1311) that exists apart from any action undertaken pursuant to this subtitle.

#### SEC. 9003. ORPHAN MINE SITE GOOD SAMARITAN PILOT PROJECT AUTHORIZATION.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Administrator shall establish a pilot program under which the Administrator shall grant not more than 15 Good Samaritan permits to carry out projects to remediate historic mine residue at any portions of orphan mine sites in accordance with this subtitle.

(2) OVERSIGHT OF PERMITS.—The Administrator may oversee the remediation project under paragraph (1), and any action taken by the applicable Good Samaritan or any cooperating person under the applicable Good Samaritan permit, for the duration of the Good Samaritan permit, as the Administrator determines to be necessary to review the status of the project.

(b) GOOD SAMARITAN PERMIT ELIGIBILITY.—

(1) IN GENERAL.—To be eligible to receive a Good Samaritan permit to carry out a project to remediate an orphan mine site, a person shall demonstrate that—

(A) the orphan mine site that is the subject of the application for a Good Samaritan permit is located in the United States;

(B) the purpose of the proposed project is the remediation at that orphan mine site of historic mine residue;

(C) the proposed activities are designed to result in the partial or complete remediation of historic mine residue at the orphan mine site;

(D) to the satisfaction of the Administrator, the person—

(i) possesses, or has the ability to secure, the financial and other resources necessary—

(I) to complete the permitted work, as determined by the Administrator; and

(II) to address any contingencies identified in the Good Samaritan permit application described in subsection (c);

(ii) possesses the proper and appropriate experience and capacity to complete the permitted work; and

(iii) will complete the permitted work; and

(E) the person is a Good Samaritan with respect to the historic mine residue proposed to be covered by the Good Samaritan permit.

(2) IDENTIFICATION OF ALL RESPONSIBLE OWNERS OR OPERATORS.—

(A) IN GENERAL.—A Good Samaritan shall make reasonable and diligent efforts to identify, from a review of publicly available information in land records or on internet websites of Federal, State, and local regulatory authorities, all responsible owners or operators of an orphan mine site proposed to be remediated by the Good Samaritan under this section.

(B) EXISTING RESPONSIBLE OWNER OR OPERATOR.—If the Administrator determines, based on information provided by a Good Samaritan or otherwise, that a responsible owner or operator exists for an orphan mine site proposed to be remediated by the Good Samaritan, the Administrator shall deny the application for a Good Samaritan permit.

(c) APPLICATION FOR PERMITS.—To obtain a Good Samaritan permit, a person shall submit to the Administrator an application, signed by the person and any cooperating person, that provides, to the extent known or reasonably discoverable by the person on the date on which the application is submitted—

(1) a description of the orphan mine site (including the boundaries of the orphan mine site) proposed to be covered by the Good Samaritan permit;

(2) a description of all parties proposed to be involved in the remediation project, including any cooperating person and each

member of an applicable corporation, association, partnership, consortium, joint venture, commercial entity, or nonprofit association;

(3) evidence that the person has or will acquire all legal rights or the authority necessary to enter the relevant orphan mine site and perform the remediation described in the application;

(4) a detailed description of the historic mine residue to be remediated;

(5) a detailed description of the expertise and experience of the person and the resources available to the person to successfully implement and complete the remediation plan under paragraph (7);

(6) to the satisfaction of the Administrator and subject to subsection (d), a description of the baseline environmental conditions, including potentially affected surface water quality and hydrological conditions, affected by the historic mine residue to be remediated that includes—

(A) the nature and extent of any adverse impact on the water quality of any body of water caused by the drainage of historic mine residue or other discharges from the orphan mine site;

(B) the flow rate and concentration of any drainage of historic mine residue or other discharge from the orphan mine site in any body of water that has resulted in an adverse impact described in subparagraph (A); and

(C) any other release or threat of release of historic mine residue that has resulted in an adverse impact to public health or the environment;

(7) subject to subsection (d), a remediation plan for the orphan mine site that describes—

(A) the nature and scope of the proposed remediation activities, including—

(i) any historic mine residue to be addressed by the remediation plan; and

(ii) a description of the goals of the remediation including, if applicable, with respect to—

(I) the reduction or prevention of a release, threat of release, or discharge to surface waters; or

(II) other appropriate goals relating to water or soil;

(B) each activity that the person proposes to take that is designed—

(i) to improve or enhance water quality or site-specific soil quality relevant to the historic mine residue addressed by the remediation plan; or

(ii) to otherwise protect human health and the environment (including through the prevention of a release, discharge, or threat of release to water or soil);

(C) the monitoring or other form of assessment, if any, that will be undertaken by the person to evaluate the success of the activities described in subparagraph (A) during and after the remediation, with respect to the baseline conditions, as described in paragraph (6);

(D) to the satisfaction of the Administrator, detailed engineering plans for the project;

(E) any proposed recycling or reprocessing of historic mine residue to be conducted by the person (including a description of how all proposed recycling or reprocessing activities relate to the remediation of the orphan mine site); and

(F) identification of any proposed contractor that will perform any remediation activity;

(8) subject to subsection (d), a schedule for the work to be carried out under the project, including a schedule for periodic reporting by the person on the remediation of the orphan mine site;

(9) subject to subsection (d), in the case of a remediation activity that requires plug-

ging, opening, or otherwise altering the portal or adit of an orphan mine site, an evaluation of orphan mine site conditions, including an assessment of any pooled water or hydraulic pressure in the orphan mine site conducted by a licensed professional engineer;

(10) a health and safety plan that is specifically designed for mining remediation work;

(11) a specific contingency plan that—

(A) includes provisions on response and notification to Federal, State, and local authorities with jurisdiction over downstream waters that have the potential to be impacted by an unplanned release or discharge of hazardous substances, pollutants, or contaminants; and

(B) is designed to respond to unplanned adverse events (such as potential fluid release that may result from addressing pooled water or hydraulic pressure situations), including the sudden release of historic mine residue;

(12) subject to subsection (d), a project budget and description of financial resources that demonstrate that the permitted work, including any operation and maintenance, will be completed;

(13) subject to subsection (d), information demonstrating that the applicant has the financial resources to carry out the remediation (including any long-term monitoring that may be required by the Good Samaritan permit) or the ability to secure an appropriate third-party financial assurance, as determined by the Administrator, to ensure completion of the permitted work, including any long-term operations and maintenance of remediation activities that may be—

(A) proposed in the application for the Good Samaritan permit; or

(B) required by the Administrator as a condition of granting the permit;

(14) subject to subsection (d), a detailed plan for any required operation and maintenance of any remediation, including a timeline, if necessary;

(15) subject to subsection (d), a description of any planned post-remediation monitoring, if necessary; and

(16) subject to subsection (d), any other appropriate information, as determined by the Administrator or the applicant.

(d) INVESTIGATIVE SAMPLING.—

(1) INVESTIGATIVE SAMPLING PERMITS.—The Administrator may grant an investigative sampling permit for a period determined by the Administrator to authorize a person to conduct investigative sampling of historic mine residue, soil, or water to determine—

(A) baseline conditions; and

(B) whether the person—

(i) is willing to perform further remediation to address the historic mine residue; and

(ii) will proceed with a permit conversion under subsection (e)(1).

(2) APPLICATION.—If a person proposes to conduct investigative sampling, the person shall submit to the Administrator a Good Samaritan permit application that contains, to the satisfaction of the Administrator—

(A) each description required under paragraphs (1), (2), (5), and (6) of subsection (c);

(B) the evidence required under subsection (c)(3);

(C) each plan required under paragraphs (10) and (11) of subsection (c); and

(D) a detailed plan of the investigative sampling.

(3) PERMIT LIMITATIONS.—If a person submits an application that proposes only investigative sampling of historic mine residue, soil, or water that only includes the requirements described in paragraph (2), the Administrator may only grant an investigative sampling permit that authorizes the person only to carry out the plan of investigative sampling of historic mine residue, soil, or

water, as described in the investigative sampling permit application under paragraph (2).

(4) REQUIREMENTS RELATING TO SAMPLES.—In conducting investigative sampling of historic mine residue, soil, or water, a person shall—

(A) collect samples that are representative of the conditions present at the orphan mine site that is the subject of the investigative sampling permit; and

(B) retain publicly available records of all sampling events for a period of not less than 3 years.

(5) POST-SAMPLING REMEDIATION.—

(A) REFUSAL TO CONVERT PERMIT.—Subject to subparagraph (B), a person who obtains an investigative sampling permit may decline to apply to convert the investigative sampling permit into a Good Samaritan permit under paragraph (6) and decline to undertake remediation on conclusion of investigative sampling.

(B) RETURN TO PREEXISTING CONDITIONS.—If the activities carried out by a person under an investigative sampling permit result in surface water quality conditions, or any other environmental conditions, that are worse than the preexisting conditions of the applicable orphan mine site due to historic mine residue at the orphan mine site, the person shall undertake actions to return the orphan mine site to those preexisting conditions.

(6) PERMIT CONVERSION.—Not later than 1 year after the date on which the investigative sampling under the investigative sampling permit concludes, a person to whom an investigative sampling permit is granted under paragraph (1) may apply to convert an investigative sampling permit into a Good Samaritan permit under subsection (e)(1).

(e) INVESTIGATIVE SAMPLING CONVERSION.—

(1) IN GENERAL.—A person to which an investigative sampling permit was granted may submit to the Administrator an application in accordance with paragraph (2) to convert the investigative sampling permit into a Good Samaritan permit.

(2) APPLICATION.—

(A) INVESTIGATIVE SAMPLING.—An application for the conversion of an investigative sampling permit under paragraph (1) shall include any requirement described in subsection (c) that was not included in full in the application submitted under subsection (d)(2).

(B) PUBLIC NOTICE AND COMMENT.—An application for permit conversion under this paragraph shall be subject to—

(i) a period of public notice and comment; and

(ii) a public hearing, if requested.

(f) CONTENT OF PERMITS.—

(1) IN GENERAL.—A Good Samaritan permit shall contain—

(A) the information described in subsection (c), including any modification required by the Administrator;

(B)(i) a provision that states that the Good Samaritan is responsible for securing, for all activities authorized under the Good Samaritan permit, all authorizations, licenses, and permits that are required under applicable law except for—

(I) section 301, 302, 306, 307, 402, or 404 of the Federal Water Pollution Control Act (33 U.S.C. 1311, 1312, 1316, 1317, 1342, 1344); and

(II) authorizations, licenses, and permits that would not need to be obtained if the remediation was conducted pursuant to section 121 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9621); or

(ii) in the case of an orphan mine site in a State that is authorized to implement State law pursuant to section 402 or 404 of the Federal Water Pollution Control Act (33 U.S.C. 1342, 1344) or on land of an Indian tribe that

is authorized to implement Tribal law pursuant to that section, a provision that states that the Good Samaritan is responsible for securing, for all activities authorized under the Good Samaritan permit, all authorizations, licenses, and permits that are required under applicable law, except for—

(I) the State or Tribal law, as applicable; and

(II) authorizations, licenses, and permits that would not need to be obtained if the remediation was conducted pursuant to section 121 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9621);

(C) specific public notification requirements, including the contact information for all appropriate response centers in accordance with subsection (o); and

(D) any other terms and conditions determined to be appropriate by the Administrator.

(2) **FORCE MAJEURE.**—A Good Samaritan permit may include, at the request of the Good Samaritan, a provision that a Good Samaritan may assert a claim of force majeure for any violation of the Good Samaritan permit caused solely by—

(A) an act of God;

(B) an act of war;

(C) negligence on the part of the United States; or

(D) an act or omission of a third party, if the Good Samaritan—

(i) exercises due care with respect to the actions of the Good Samaritan under the Good Samaritan permit, as determined by the Administrator;

(ii) took precautions against foreseeable acts or omissions of the third party, as determined by the Administrator; and

(iii) uses reasonable efforts—

(I) to anticipate any potential force majeure; and

(II) to address the effects of any potential force majeure.

(3) **MONITORING.**—

(A) **IN GENERAL.**—The Good Samaritan shall take such actions as the Good Samaritan permits requires to ensure appropriate baseline monitoring, monitoring during the remediation project, and post-remediation monitoring of the environment under paragraphs (6), (7), and (15), respectively, of subsection (c).

(B) **MULTIPARTY MONITORING.**—The Administrator may approve in a Good Samaritan permit the monitoring by multiple cooperating persons if, as determined by the Administrator—

(i) the multiparty monitoring will effectively accomplish the goals of this section; and

(ii) the Good Samaritan remains responsible for compliance with the terms of the Good Samaritan permit.

(4) **SIGNATURE BY GOOD SAMARITAN.**—The signature of the relevant Good Samaritan and a cooperating person, if any, on the Good Samaritan permit shall be considered to be an acknowledgment by the Good Samaritan that the Good Samaritan accepts the terms and conditions of the Good Samaritan permit.

(5) **OTHER DEVELOPMENT.**—

(A) **NO AUTHORIZATION OF MINING ACTIVITIES.**—Except as provided in the Good Samaritan permit, no mineral exploration, processing, beneficiation, or mining shall be—

(i) authorized by this subtitle; or

(ii) covered by any waiver of liability provided by this subtitle from applicable law.

(B) **SALE OR USE OF MATERIALS.**—A Good Samaritan may sell or use materials recovered during the implementation of a remediation plan only if all of the proceeds from

the sale or use of the materials are first used—

(i) to defray the costs of the remediation; and

(ii) to the extent required by the Good Samaritan permit, to reimburse the Administrator or the head of a Federal land management agency for any costs incurred for oversight of the Good Samaritan.

(C) **CONNECTION WITH OTHER ACTIVITIES.**—The commingling or association of any other discharge of water or historic mine residue or any activity, project, or operation with any aspect of a project subject to a Good Samaritan permit shall not limit or reduce the liability of any person associated with the other discharge of water or historic mine residue or activity, project, or operation.

(g) **ADDITIONAL WORK.**—A Good Samaritan permit may allow the Good Samaritan to return to the orphan mine site after the completion of the remediation to perform operations and maintenance or other work—

(1) to ensure the functionality of the orphan mine site; or

(2) to protect public health and the environment.

(h) **TIMING.**—Work authorized under a Good Samaritan permit—

(1) shall commence, as applicable—

(A) not later than the date that is 18 months after the date on which the Administrator granted the Good Samaritan permit, unless the Administrator grants an extension under subsection (r)(3)(B)(i); or

(B) if the grant of the Good Samaritan permit is the subject of a petition for judicial review, not later than the date that is 18 months after the date on which the judicial review, including any appeals, has concluded; and

(2) shall continue until completed, with temporary suspensions permitted during adverse weather or other conditions specified in the Good Samaritan permit.

(i) **TRANSFER OF PERMITS.**—A Good Samaritan permit may be transferred to another person only if—

(1) the Administrator determines that the transferee qualifies as a Good Samaritan;

(2) the transferee signs, and agrees to be bound by the terms of, the Good Samaritan permit;

(3) the Administrator includes in the transferred Good Samaritan permit any additional conditions necessary to meet the goals of this subtitle; and

(4) in the case of a project carried out or proposed to be carried out under the transferred Good Samaritan permit on land owned by the United States—

(A) the head of the appropriate Federal land management agency consents to the transfer; and

(B) the transferee enters into any applicable special use permit or other land use agreement with that Federal land management agency.

(j) **ROLE OF ADMINISTRATOR.**—In carrying out this section, the Administrator shall—

(1) consult with prospective applicants;

(2) convene, coordinate, and lead the application review process;

(3) maintain all records relating to the Good Samaritan permit and the permit process;

(4) provide an opportunity for cooperating persons and the public to participate in the Good Samaritan permit process, including—

(A) a public comment period; and

(B) a public hearing, if requested; and

(5) enforce and otherwise carry out this section.

(k) **STATE, LOCAL, AND TRIBAL GOVERNMENTS.**—As soon as practicable, but not later than 14 days after the date on which the Administrator receives an application for the remediation of an orphan mine site under

this section, the Administrator shall provide notice and a copy of the application to—

(1) each local government with jurisdiction over a drinking water utility, and each Indian tribe with reservation or off-reservation treaty rights to land or water, located downstream from a proposed remediation project that is reasonably anticipated to be adversely impacted by a potential release of contaminants from the orphan mine site, as determined by the Administrator;

(2) each Federal, State, and Tribal agency that may have an interest in the application; and

(3) in the case of an orphan mine site that is located partially or entirely on land owned by the United States, the Federal land management agency with jurisdiction over that land.

(1) **PUBLIC NOTICE OF RECEIPT OF APPLICATIONS.**—

(1) **IN GENERAL.**—Not later than 30 days after the date on which the Administrator receives a complete application for a Good Samaritan permit, the Administrator shall provide to the public a notice that—

(A) describes—

(i) the location of the relevant orphan mine site;

(ii) the scope and nature of the proposed remediation; and

(iii) the name of the person applying for the Good Samaritan permit; and

(B) provides to the public a means of viewing or obtaining the application, including, at a minimum, posting the application on the website of the Administrator.

(2) **HEARING.**—

(A) **IN GENERAL.**—Before the date on which the Administrator grants a Good Samaritan permit, if requested, the Administrator shall hold a public hearing in the vicinity of the affected orphan mine site.

(B) **NOTICE.**—Not later than 30 days before the date of a hearing under subparagraph (A), the Administrator shall provide to the public—

(i) notice of the hearing; and

(ii) a draft Good Samaritan permit.

(C) **COMMENTS.**—The Administrator shall provide to the relevant applicant and the public the opportunity—

(i) to comment on the draft Good Samaritan permit at the public hearing; and

(ii) to submit written comments to the Administrator during the 30-day period beginning on the date of the hearing.

(m) **PERMIT GRANT.**—

(1) **IN GENERAL.**—The Administrator may grant a Good Samaritan permit to carry out a project for the remediation of an orphan mine site only if—

(A) the Administrator determines that—

(i) the person seeking the permit is a Good Samaritan;

(ii) the application described in subsection (c) is complete;

(iii) the project is designed to remediate historic mine residue at the orphan mine site to protect public health and the environment;

(iv) the proposed project is designed to meet all other goals, as determined by the Administrator, including any goals set forth in the application for the Good Samaritan permit that are accepted by the Administrator;

(v) the proposed activities are designed to result in, as compared to the baseline conditions described in subsection (c)(6)—

(I) improved water or soil quality or other environmental or safety conditions; or

(II) reductions in further threats to water or soil quality or other environmental or safety conditions;

(vi) the applicant has—

(I) demonstrated that the applicant has the proper and appropriate experience and capacity to complete the permitted work;

(II) demonstrated that the applicant will complete the permitted work;

(III) the financial and other resources to address any contingencies identified in the Good Samaritan permit application described in subsections (b) and (c);

(IV) granted access and provided the authority to review the records of the applicant relevant to compliance with the requirements of the Good Samaritan permit; and

(V) demonstrated, to the satisfaction of the Administrator, that—

(aa) the applicant has, or has access to, the financial resources to complete the project described in the Good Samaritan permit application, including any long-term monitoring and operations and maintenance that the Administrator may require the applicant to perform in the Good Samaritan permit; or

(bb) the applicant has established a third party financial assurance mechanism, such as a corporate guarantee from a parent or other corporate affiliate, letter of credit, trust, surety bond, or insurance to assure that funds are available to complete the permitted work, including for operations and maintenance and to address potential contingencies, that establishes the Administrator or the head of the Federal land management agency as the beneficiary of the third-party financial assurance mechanism and that allows the Administrator to retain and use the funds from the financial assurance mechanism in the event the Good Samaritan does not complete the remediation under the Good Samaritan permit; and

(vii) the project meets the requirements of this subtitle;

(B) the State or Indian tribe with jurisdiction over land on which the orphan mine site is located has been given an opportunity to review and, if necessary, comment on the grant of the Good Samaritan permit;

(C) in the case of a project proposed to be carried out under the Good Samaritan permit partially or entirely on land owned by the United States—

(i) the head of the Federal land management agency with jurisdiction over that land reviews and concurs with the grant of the Good Samaritan permit; and

(ii) the Good Samaritan has entered into any applicable special use permit or other land use agreement with the Federal land management agency pursuant to applicable Federal land management law; and

(D) the Administrator has provided—

(i) notice under subsection (I); and

(ii) a period of public comment and a public hearing under that subsection, if requested.

(2) RELATION TO NEPA.—

(A) IN GENERAL.—The grant or modification of a Good Samaritan permit by the Administrator shall not be considered a major Federal action significantly affecting the quality of the human environment for purposes of section 102 of the National Environmental Policy Act (42 U.S.C. 4332).

(B) LIMITATION.—Nothing in this paragraph exempts the Secretary of Agriculture or the Secretary of the Interior, as applicable, from any other requirements of section 102 of the National Environmental Policy Act (42 U.S.C. 4332).

(3) DEADLINE.—

(A) IN GENERAL.—The Administrator shall grant or deny a Good Samaritan permit by not later than—

(i) the date that is 180 days after the date of receipt by the Administrator of an application for the Good Samaritan permit that, as determined by the Administrator, is com-

plete and meets all applicable requirements of subsection (c); or

(ii) such later date as may be determined by the Administrator with notification provided to the applicant.

(B) CONSTRUCTIVE DENIAL.—If the Administrator fails to grant or deny a Good Samaritan permit by the applicable deadline described in subparagraph (A), the application shall be considered to be denied.

(n) EFFECT OF PERMITS.—

(1) IN GENERAL.—A Good Samaritan, recipient of an investigative sampling permit, passive landowner, and any cooperating person undertaking remediation activities identified in and carried out pursuant to and in full compliance with a Good Samaritan permit—

(A) shall be considered to be in compliance with all requirements (including permitting requirements) under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) (including any law or regulation implemented by a State or Indian tribe under section 402 or 404 of the Federal Water Pollution Control Act (33 U.S.C. 1342, 1344)) and the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) during the term of the Good Samaritan permit and after the termination of the Good Samaritan permit;

(B) shall not be required to obtain a permit under, or to comply with, section 301, 302, 306, 307, 402, or 404 of the Federal Water Pollution Control Act (33 U.S.C. 1311, 1312, 1316, 1317, 1342, 1344), or any State or Tribal standards or regulations approved by the Administrator under those sections of that Act, during the term of the Good Samaritan permit and after the termination of the Good Samaritan permit; and

(C) shall not be required to obtain any authorizations, licenses, or permits that would otherwise not need to be obtained if the remediation was conducted pursuant to section 121 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9621).

(2) ACTIVITIES NOT RELATING TO REMEDIATION.—

(A) IN GENERAL.—A Good Samaritan or any cooperating person that carries out any activity relating to mineral exploration, processing, beneficiation, or mining, including development, that is not authorized by the applicable Good Samaritan permit shall be subject to all applicable law.

(B) LIABILITY.—Any activity not authorized by a Good Samaritan permit, as determined by the Administrator, may be subject to liability and enforcement under all applicable law, including—

(i) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); and

(ii) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.).

(3) NO ENFORCEMENT LIABILITY.—

(A) DISCHARGES.—Subject to subparagraphs (B) and (C), a Good Samaritan, recipient of an investigative sampling permit, passive landowner, or cooperating person that is conducting remediation pursuant to a Good Samaritan permit shall not be subject to enforcement, civil or criminal penalties, citizen suits, or any other liability (including any liability for response costs, natural resource damage, or contribution) under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) (including under any law or regulation administered by a State or Indian tribe under that Act) or the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) for any actions undertaken or for any past, present, or future releases, threats of releases, or discharges of hazardous substances, pollutants, or contaminants at or

from the orphan mine site that is the subject of the Good Samaritan permit (including any releases, threats of releases, or discharges that occurred prior to the grant of the Good Samaritan permit) during the term of the Good Samaritan permit and after termination of the Good Samaritan permit.

(B) OTHER PARTIES.—Nothing in subparagraph (A) limits the liability of any person that is not described in that subparagraph.

(C) VIOLATION OF PERMIT PRIOR TO TERMINATION.—Notwithstanding subparagraph (A), if the Good Samaritan, passive landowner, or cooperating person violates the terms of the Good Samaritan permit and that violation results in surface water quality or other environmental conditions that are worse than baseline conditions at the orphan mine site, the Administrator—

(i) shall notify the Good Samaritan of the violation; and

(ii) may require the Good Samaritan to undertake reasonable measures, as determined by the Administrator, to return surface water quality or other environmental conditions to the condition that existed prior to the violation.

(o) PUBLIC NOTIFICATION OF ADVERSE EVENT.—A Good Samaritan shall notify all appropriate Federal, State, Tribal, and local entities of any unplanned or previously unknown release of historic mine residue caused by the actions of the Good Samaritan, passive landowner, or any cooperating person in accordance with—

(1) section 103 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9603);

(2) section 304 of the Emergency Planning and Community Right-To-Know Act of 1986 (42 U.S.C. 11004);

(3) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.);

(4) any other applicable provision of Federal law; and

(5) any other applicable provision of State, Tribal, or local law.

(p) GRANT ELIGIBILITY.—A remediation project conducted under a Good Samaritan permit shall be eligible for funding pursuant to—

(1) section 319 of the Federal Water Pollution Control Act (33 U.S.C. 1329); and

(2) section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(k)).

(q) EMERGENCY AUTHORITY AND LIABILITY.—

(1) EMERGENCY AUTHORITY.—Nothing in this section affects the authority of—

(A) the Administrator to take any responsive action authorized by law; or

(B) a Federal, State, Tribal, or local agency to carry out any emergency authority, including an emergency authority provided under Federal, State, Tribal, or local law.

(2) LIABILITY.—Except as specifically provided in this subtitle, nothing in this subtitle or a Good Samaritan permit limits the liability of any person (including a Good Samaritan or any cooperating person) under any provision of law.

(r) TERMINATION OF AUTHORITY.—

(1) TERMINATION.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the authority to grant Good Samaritan permits pursuant to this subtitle shall terminate on the date that is 7 years after the date of enactment of this Act.

(B) EXCEPTION.—Notwithstanding subparagraph (A), the Administrator may grant a Good Samaritan permit pursuant to this subtitle after the date identified in subparagraph (A) if the application for the Good Samaritan permit—

(i) was submitted not later than 180 days before that date; and

(ii) was completed in accordance with subsection (e)(1) by not later than 7 years after the date of enactment of this Act.

(2) **EFFECT ON CERTAIN PERMITS.**—Any Good Samaritan permit granted by the deadline prescribed in subparagraph (A) or (B) of paragraph (1), as applicable, that is in effect on the date that is 7 years after the date of enactment of this Act shall remain in effect after that date in accordance with—

(A) the terms and conditions of the Good Samaritan permit; and

(B) this subtitle.

(3) **TERMINATION OF PERMIT.**—

(A) **IN GENERAL.**—A Good Samaritan permit shall terminate, as applicable—

(i) on inspection and notice from the Administrator to the recipient of the Good Samaritan permit that the permitted work has been completed in accordance with the terms of the Good Samaritan permit, as determined by the Administrator;

(ii) if the Administrator terminates a permit under paragraph (4)(B)(i); or

(iii) except as provided in subparagraph (B)—

(I) on the date that is 18 months after the date on which the Administrator granted the Good Samaritan permit, if the permitted work has not commenced by that date; or

(II) if the grant of the Good Samaritan permit was the subject of a petition for judicial review, on the date that is 18 months after the date on which the judicial review, including any appeals, has concluded, if the permitted work has not commenced by that date.

(B) **EXTENSION.**—

(i) **IN GENERAL.**—If the Administrator is otherwise required to terminate a Good Samaritan permit under subparagraph (A)(iii), the Administrator may grant an extension of the Good Samaritan permit.

(ii) **LIMITATION.**—Any extension granted under clause (i) shall be not more than 180 days for each extension.

(4) **UNFORESEEN CIRCUMSTANCES.**—

(A) **IN GENERAL.**—The recipient of a Good Samaritan permit or investigative sampling permit may seek to modify or terminate the Good Samaritan permit or investigative sampling permit to take into account any event or condition that—

(i) significantly reduces the feasibility or significantly increases the cost of completing the remediation project that is the subject of the Good Samaritan permit or investigative sampling permit;

(ii) was not—

(I) reasonably contemplated by the recipient of the permit; or

(II) taken into account in the remediation plan of the recipient of the permit; and

(iii) is beyond the control of the recipient of the permit, as determined by the Administrator.

(B) **TERMINATION.**—

(i) **IN GENERAL.**—Subject to subsection (n)(3), the Administrator shall terminate a Good Samaritan permit or investigative sampling permit if—

(I) the recipient of the permit seeks termination of the permit under subparagraph (A);

(II) the factors described in subparagraph (A) are satisfied; and

(III) the Administrator determines that remediation activities conducted by the Good Samaritan or person pursuant to the Good Samaritan permit or investigative sampling permit, respectively, may result in surface water quality conditions, or any other environmental conditions, that will be worse than the baseline conditions, as described in subsection (c)(6), as applicable.

(ii) **EFFECT OF TERMINATION.**—Notwithstanding the termination of a Good Samaritan permit or investigative sampling permit under clause (i), the provisions of paragraphs

(1), (2), and (3) of subsection (n) shall continue to apply to the Good Samaritan, the recipient of an investigative sampling permit, and any cooperating persons after the termination.

(5) **LONG-TERM OPERATIONS AND MAINTENANCE.**—In the case of a project that involves long-term operations and maintenance at an orphan mine site located on land owned by the United States, the project may be considered complete and the Administrator may terminate the Good Samaritan permit under this subsection if the applicable Good Samaritan has entered into an agreement with the applicable Federal land management agency or a cooperating person for the long-term operations and maintenance that includes sufficient funding for the long-term operations and maintenance.

(8) **REGULATIONS.**—

(1) **IN GENERAL.**—Subject to paragraph (2), not later than 1 year after the date of enactment of this Act, the Administrator, in consultation with the Secretary of the Interior and the Secretary of Agriculture, and appropriate State, Tribal, and local officials, shall promulgate regulations to establish—

(A) requirements for remediation plans described in subsection (c); and

(B) any other requirement that the Administrator determines to be necessary to carry out this subtitle.

(2) **SPECIFIC REQUIREMENTS BEFORE PROMULGATION OF REGULATIONS.**—Before the date on which the Administrator promulgates regulations under paragraph (1), the Administrator may establish, on a case-by-case basis, specific requirements that the Administrator determines would facilitate the implementation of this subsection with respect to a Good Samaritan permitting program.

#### SEC. 9004. SPECIAL ACCOUNTS.

(a) **ESTABLISHMENT.**—There is established in the Treasury of the United States a Good Samaritan Mine Remediation Fund (referred to in this section as a “Fund”) for each Federal land management agency that authorizes a Good Samaritan to conduct a project on Federal land under the jurisdiction of that Federal land management agency under a Good Samaritan permit.

(b) **DEPOSITS.**—Each Fund shall consist of—

(1) amounts provided in appropriation Acts;

(2) any reimbursements for the costs of oversight received under section 9003(f)(5)(B)(ii);

(3) any financial assurance funds collected from an agreement described in section 9003(m)(1)(A)(vi)(V)(bb);

(4) any funds collected for long-term operations and maintenance under an agreement under section 9003(r)(5);

(5) any interest earned under an investment under subsection (c); and

(6) any proceeds from the sale or redemption of investments held in the Fund.

(c) **UNUSED FUNDS.**—Amounts in each Fund not currently needed to carry out this subtitle shall be—

(1) maintained as readily available or on deposit;

(2) invested in obligations of the United States or guaranteed by the United States; or

(3) invested in obligations, participations, or other instruments that are lawful investments for a fiduciary, a trust, or public funds.

(d) **RETAIN AND USE AUTHORITY.**—Each head of a Federal land management agency, as appropriate, may, notwithstanding any other provision of law, retain and use money deposited in the applicable Fund without fiscal year limitation for the purpose of carrying out this subtitle.

(e) **LIMITATION.**—Amounts in each Fund may only be used for the Good Samaritan project for which the funds were deposited.

#### SEC. 9005. REPORT TO CONGRESS.

(a) **IN GENERAL.**—Not later than 8 years after the date of enactment of this Act, the Administrator, in consultation with the heads of Federal land management agencies, shall submit to the Committee on Environment and Public Works of the Senate and the Committees on Transportation and Infrastructure, Energy and Commerce, and Natural Resources of the House of Representatives a report evaluating the Good Samaritan pilot program under this subtitle.

(b) **INCLUSIONS.**—The report under subsection (a) shall include—

(1) a description of—

(A) the number, types, and objectives of Good Samaritan permits granted pursuant to this subtitle; and

(B) each remediation project authorized by those Good Samaritan permits;

(2) qualitative and quantitative data on the results achieved under the Good Samaritan permits before the date of issuance of the report;

(3) a description of—

(A) any problems encountered in administering this subtitle; and

(B) whether the problems have been or can be remedied by administrative action (including amendments to existing law);

(4) a description of progress made in achieving the purposes of this subtitle; and

(5) recommendations on whether the Good Samaritan pilot program under this subtitle should be continued, including a description of any modifications (including amendments to existing law) required to continue administering this subtitle.

#### Subtitle B—Other Matters

**SA 134.** Mr. PORTMAN (for himself, Mr. WARNER, Mr. ALEXANDER, Mr. KING, Mr. TILLIS, Ms. COLLINS, Mr. DAINES, Mr. CRAMER, and Mr. GARDNER) submitted an amendment intended to be proposed to amendment SA 111 submitted by Ms. MURKOWSKI (for herself and Mr. MANCHIN) and intended to be proposed to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title II, add the following:

#### SEC. 24. . . . NATIONAL PARK SERVICE LEGACY RESTORATION FUND.

(a) **IN GENERAL.**—Chapter 1049 of title 54, United States Code (as amended by section 2410(a)), is amended by adding at the end the following:

#### “§ 104910. National park service legacy restoration fund

“(a) **DEFINITIONS.**—In this section:

“(1) **FUND.**—The term ‘Fund’ means the National Park Service Legacy Restoration Fund established by subsection (b).

“(2) **PROJECT.**—The term ‘project’ means the overall plan of remediation of deferred maintenance for an asset, which may include resolving directly related infrastructure deficiencies of the asset.

“(b) **ESTABLISHMENT.**—There is established in the Treasury of the United States a fund, to be known as the ‘National Park Service Legacy Restoration Fund’.

“(c) **DEPOSITS.**—

“(1) **IN GENERAL.**—Except as provided in paragraph (2), for each of fiscal years 2019 through 2023, there shall be deposited in the Fund an amount equal to 50 percent of all

energy development revenues due and payable to the United States from oil, gas, coal, or alternative or renewable energy development on Federal land and water that would otherwise be credited, covered, or deposited as miscellaneous receipts under Federal law.

“(2) MAXIMUM AMOUNT.—The amount deposited in the Fund under paragraph (1) shall not exceed \$1,300,000,000 for any fiscal year.

“(3) EFFECT ON OTHER REVENUES.—Nothing in this section affects the disposition of revenues that—

“(A) are due to the United States, special funds, trust funds, or States from mineral and energy development on Federal land and water; or

“(B) have been otherwise appropriated under Federal law, including the Gulf of Mexico Energy Security Act of 2006 (43 U.S.C. 1331 note; Public Law 109-432), the Mineral Leasing Act (30 U.S.C. 181 et seq.), and chapter 2003.

“(d) AVAILABILITY OF FUNDS.—Amounts deposited in the Fund shall be available to the Secretary without further appropriation or fiscal year limitation.

“(e) INVESTMENT OF AMOUNTS.—

“(1) IN GENERAL.—The Secretary may request the Secretary of the Treasury to invest any portion of the Fund that is not, as determined by the Secretary, required to meet the current needs of the Fund.

“(2) REQUIREMENT.—An investment requested under paragraph (1) shall be made by the Secretary of the Treasury in a public debt security—

“(A) with a maturity suitable to the needs of the Fund, as determined by the Secretary; and

“(B) bearing interest at a rate determined by the Secretary of the Treasury, taking into consideration current market yields on outstanding marketable obligations of the United States of comparable maturity.

“(3) CREDITS TO FUND.—The income on investments of the Fund under this subsection shall be credited to, and form a part of, the Fund.

“(f) USE OF FUNDS.—Amounts in the Fund shall be used for the priority deferred maintenance needs of the Service, as determined by the Secretary, to carry out repair, restoration, or rehabilitation projects as follows:

“(1) Not less than 65 percent of amounts in the Fund shall be allocated for non-transportation projects, including—

“(A) historic structures, facilities, and other historic assets;

“(B) structures, facilities, and other non-historic assets that relate directly to the visitor experience, including—

“(i) access, including making facilities accessible to visitors with disabilities;

“(ii) health and safety; and

“(iii) recreation; and

“(C) administrative facilities, water and utility systems, and employee housing.

“(2) The remaining amounts in the Fund may be allocated to road, bridge, tunnel, or other transportation-related projects that may be eligible for funding made available to the Service through—

“(A) the transportation program under section 203 of title 23; or

“(B) any similar Federal land highway program administered by the Secretary of Transportation.

“(g) PROHIBITED USE OF FUNDS.—No amounts in the Fund shall be used—

“(1) for land acquisition;

“(2) to supplant discretionary funding made available for the annually recurring facility operations, maintenance, and construction needs of the Service; or

“(3) for bonuses for employees of the Federal Government that are carrying out this section.

“(h) SUBMISSION TO CONGRESS.—The Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives, as part of the annual budget submission of the President, a list of projects for which the amounts in the Fund are allocated under this section, including a description of each project.

“(i) PUBLIC DONATIONS.—

“(1) IN GENERAL.—The Secretary and the Director may accept public cash or in-kind donations that advance efforts—

“(A) to reduce the deferred maintenance backlog of the Service; and

“(B) to encourage relevant public-private partnerships.

“(2) CREDITS TO FUND.—Any cash donations accepted under paragraph (1) shall be credited to, and form a part of, the Fund.

“(3) REPORTING.—Each donation received under paragraph (1) that is used for, or directly related to, the reduction of the deferred maintenance backlog of the Service shall be included with the annual budget submission of the President to Congress.”.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 1049 of title 54, United States Code (as amended by section 2410(b)), is amended by adding at the end the following:

“104910. National Park Service Legacy Restoration Fund.”.

**SA 135.** Ms. MCSALLY (for herself and Ms. SINEMA) submitted an amendment intended to be proposed to amendment SA 111 submitted by Ms. MURKOWSKI (for herself and Mr. MANCHIN) and intended to be proposed to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 163, between lines 14 and 15, insert the following:

**SEC. 1124. COCONINO NATIONAL FOREST, ARIZONA.**

(a) DEFINITIONS.—In this section:

(1) OBSERVATORY.—The term “Observatory” means the Lowell Observatory in Flagstaff, Arizona.

(2) SECRETARY.—The term “Secretary” means the Secretary of Agriculture, acting through the Chief of the Forest Service.

(b) RELEASE OF REVERSIONARY AND RESERVED INTERESTS.—

(1) IN GENERAL.—Subject to valid existing rights, if the Observatory makes a written request to the Secretary for conveyance of the parcel of land described in paragraph (2) not later than 180 days after the date of enactment of this Act, the Secretary shall convey to the Observatory, without consideration and by quitclaim deed, all right, title, and interest of the United States in and to that parcel of land.

(2) LAND DESCRIBED.—The parcel of land to be conveyed under paragraph (1) is the National Forest System land—

(A) conveyed by the United States to Percival Lowell and his heirs by the Act entitled “An Act granting certain lands in the Coconino National Forest, in Arizona, for observatory purposes”, approved May 30, 1910 (36 Stat. 452; chapter 261); and

(B) described as sec. 17, T. 21 N., R. 7 E., of the Gila and Salt River base and meridian in Coconino County, Arizona.

**SA 136.** Mr. JOHNSON (for himself, Ms. BALDWIN, Mr. BARRASSO, and Mr. ENZI) submitted an amendment intended to be proposed to amendment

SA 111 submitted by Ms. MURKOWSKI (for herself and Mr. MANCHIN) and intended to be proposed to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . REISSUANCE OF FINAL RULE REGARDING GRAY WOLVES IN WESTERN GREAT LAKES.**

Before the end of the 60-day period beginning on the date of enactment of this Act, the Secretary of the Interior shall reissue the final rule published on December 28, 2011 (76 Fed. Reg. 81666), without regard to any other provision of statute or regulation that applies to issuance of such rule. Such reissuance shall not be subject to judicial review.

**SEC. \_\_\_\_ . REISSUANCE OF FINAL RULE REGARDING GRAY WOLVES IN WYOMING.**

The final rule published on September 10, 2012 (77 Fed. Reg. 55530) that was reinstated on March 3, 2017, by the decision of the U.S. Court of Appeals for the District of Columbia (No. 14-5300) and further republished on May 1, 2017 (82 Fed. Reg. 20284-85) that reinstates the removal of Federal protections for the gray wolf in Wyoming under the Endangered Species Act of 1973, as amended, shall not be subject to judicial review.

**SA 137.** Mr. BARRASSO submitted an amendment intended to be proposed to amendment SA 111 submitted by Ms. MURKOWSKI (for herself and Mr. MANCHIN) and intended to be proposed to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 236, line 9, insert “, including full development of any apportionment made in accordance with any interstate water compact” after “Act”.

**SA 138.** Mr. BARRASSO submitted an amendment intended to be proposed to amendment SA 111 submitted by Ms. MURKOWSKI (for herself and Mr. MANCHIN) and intended to be proposed to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IX, add the following:

**SEC. 90 \_\_\_\_ . REDUCTION IN ROYALTY RATE ON SODA ASH.**

Notwithstanding section 102(a)(9) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701(a)(9)), section 24 of the Mineral Leasing Act (30 U.S.C. 262), and the terms of any lease under that Act, the royalty rate on the quantity or gross value of the output of sodium compounds and related products at the point of shipment to market from Federal land in the 1-year period beginning on the date of enactment of this Act shall be 4 percent.

**SA 139.** Mr. CASSIDY (for himself, Mr. JONES, Mr. KENNEDY, and Mr. WICKER) submitted an amendment intended to be proposed by him to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:



At the end of title IX, add the following:

**SEC. 90. AMENDMENTS TO THE GULF OF MEXICO ENERGY SECURITY ACT OF 2006.**

(a) IN GENERAL.—Section 105(a) of the Gulf of Mexico Energy Security Act of 2006 (43 U.S.C. 1331 note; Public Law 109-432) is amended—

(1) in paragraph (1), by striking “50” and inserting “37.5”; and

(2) in paragraph (2)—

(A) in the matter preceding subparagraph (A), by striking “50” and inserting “62.5”; and

(B) in subparagraph (A), by striking “75” and inserting “80”; and

(C) in subparagraph (B), by striking “25” and inserting “20”.

(b) LIMITATIONS ON AUTHORIZED USES.—Section 105(d) of the Gulf of Mexico Energy Security Act of 2006 (43 U.S.C. 1331 note; Public Law 109-432) is amended—

(1) in paragraph (1), by adding at the end the following:

“(F) Planning, engineering, design, construction, operations, and maintenance of 1 or more projects that are specifically authorized by any other Act for ecosystem restoration, hurricane protection, or flood damage prevention.”; and

(2) by striking paragraph (2) and inserting the following:

“(2) LIMITATION.—Of the amounts received by a Gulf producing State or coastal political subdivision under subsection (b)—

“(A) not more than 3 percent shall be used for the purposes described in paragraph (1)(E); and

“(B) not less than 25 percent shall be used for the purposes described in paragraph (1)(F), which shall be applied proportionally to the Federal and non-Federal share applicable to the project.”.

(c) REPEAL OF LIMITATION.—Section 105 of the Gulf of Mexico Energy Security Act of 2006 (43 U.S.C. 1331 note; Public Law 109-432) is amended by striking subsection (f).

**SA 140.** Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title I, add the following:

**SEC. 11. ACCESS TO WATERWAYS IN THE DANIEL BOONE NATIONAL FOREST, KENTUCKY.**

The Secretary of Agriculture shall allow access to the waterways feeding into Lake Cumberland through the Daniel Boone National Forest in Rockcastle County, Pulaski County, Laurel County, Wayne County, McCreary County, and Whitley County, Kentucky, for the purpose of installing docks, boat slips, and marinas.

**SA 141.** Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title I, add the following:

**SEC. 10. SALE OF CERTAIN NATIONAL FOREST SYSTEM LAND IN THE DANIEL BOONE NATIONAL FOREST.**

(a) IN GENERAL.—The Secretary of Agriculture (referred to in this section as the “Secretary”) shall, in accordance with any other applicable law and subject to valid existing rights, conduct 1 or more sales of the National Forest System land described in subsection (b) to qualified bidders.

(b) DESCRIPTION OF LAND.—The National Forest System land referred to in subsection (a) consists of National Forest System land that—

(1) is located along U.S. Highway No. 27 from Burnside, Kentucky, through the Daniel Boone National Forest to the point at which U.S. Highway No. 27 crosses into the State of Tennessee, as depicted on the map prepared under subsection (c); and

(2) is identified for disposal by the Secretary.

(c) MAP.—As soon as practicable after the date of enactment of this Act, the Secretary shall prepare a map of the National Forest System land referred to in subsection (b)(1).

(d) CONSIDERATION.—The sale of National Forest System land under subsection (a) shall be for not less than fair market value.

**SA 142.** Mr. UDALL (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed to amendment SA 111 submitted by Ms. MURKOWSKI (for herself and Mr. MANCHIN) and intended to be proposed to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part I of subtitle C of title I, add the following:

**SEC. 12. WITHDRAWAL OF CERTAIN FEDERAL LAND IN THE STATE OF NEW MEXICO.**

(a) DEFINITIONS.—In this section:

(1) FEDERAL LAND.—The term “Federal land” means—

(A) any Federal land or interest in Federal land that is within the boundaries of the Chaco Cultural Heritage Withdrawal Area, as depicted on the Map; and

(B) any land or interest in land located within the boundaries of the Chaco Cultural Heritage Withdrawal Area, as depicted on the Map, that is acquired by the Federal Government after the date of enactment of this Act.

(2) MAP.—The term “Map” means the map prepared by the Bureau of Land Management entitled “Chaco Cultural Heritage Withdrawal Area” and dated May 14, 2018.

(b) WITHDRAWAL.—Subject to any valid existing rights, the Federal land is withdrawn from—

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

(2) location, entry, and patent under mining laws; and

(3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(c) AVAILABILITY OF MAP.—The Map shall be made available for inspection at each appropriate office of the Bureau of Land Management.

(d) EFFECT OF ACT.—Nothing in this section—

(1) affects the mineral rights of a Tribe or member of a Tribe to trust land or allotment land; or

(2) precludes improvements to, or rights-of-way for water, power, or road development on, the Federal land to assist communities adjacent to or in the vicinity of the Federal land.

**SA 143.** Mr. TILLIS (for himself and Mr. BURR) submitted an amendment intended to be proposed to amendment SA 111 submitted by Ms. MURKOWSKI (for herself and Mr. MANCHIN) and intended to be proposed to the bill S. 47, to provide for the management of the natural resources of the United States,

and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VII, add the following:

**SECTION 70. CORRECTION TO MAP.**

(a) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Secretary of the Interior shall make such corrections to the map described in subsection (b) as are necessary to exclude lots from unit L06 of the John H. Chafee Coastal Barrier Resources System in North Topsail Beach, North Carolina, that were serviced by infrastructure, as described in subsection (c), installed along North Carolina Highway 210 and New River Inlet Road as of the date of enactment of the Coastal Barrier Resources Act (16 U.S.C. 3501 et seq.).

(b) MAPS DESCRIBED.—The map referred to in subsection (a) is a map that—

(1) is included in a set of maps as part of the John H. Chafee Coastal Barrier Resources System entitled “John H. Chafee Coastal Barrier Resources System” and dated December 21, 2018; and

(2) relates to unit L06 of the John H. Chafee Coastal Barrier Resources System.

(c) INFRASTRUCTURE DESCRIBED.—

(1) IN GENERAL.—Subject to paragraph (2), the infrastructure referred to in subsection (a)(1) is infrastructure that meets the criteria described in section 4(g)(1)(B) of the Coastal Barrier Resources Act (16 U.S.C. 3503(g)(1)(B)).

(2) INCLUSION.—For purposes of paragraph (1), North Carolina Highway 210 and New River Inlet Road shall be considered to meet the criteria described in section 4(g)(1)(B)(i) of the Coastal Barrier Resources Act (16 U.S.C. 3503(g)(1)(B)(i)).

**SA 144.** Mr. BLUNT submitted an amendment intended to be proposed to amendment SA 111 submitted by Ms. MURKOWSKI (for herself and Mr. MANCHIN) and intended to be proposed to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

In section 2109, strike subsection (a) and insert the following:

(a) STE. GENEVIEVE NATIONAL HISTORICAL PARK.—Section 7134(e)(1) of the Energy and Natural Resources Act of 2017 (as enacted into law by section 121(a)(2) of division G of the Consolidated Appropriations Act, 2018 (Public Law 115-141)) is amended, in the matter preceding subparagraph (A), by striking “any nationally significant property identified in the special resource study within” and inserting “any property within”.

**SA 145.** Mr. KENNEDY (for himself, Mr. CASSIDY, and Mr. HEINRICH) submitted an amendment intended to be proposed to amendment SA 111 submitted by Ms. MURKOWSKI (for herself and Mr. MANCHIN) and intended to be proposed to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. . NORTH AMERICAN WETLANDS CONSERVATION ACT REAUTHORIZATION.**

Section 7(c) of the North American Wetlands Conservation Act (16 U.S.C. 4406(c)) is amended by striking “not to exceed—” and all that follows through paragraph (5) and inserting “not to exceed \$60,000,000 for each of fiscal years 2020 through 2024.”.

**SA 146.** Mr. KENNEDY submitted an amendment intended to be proposed to amendment SA 111 submitted by Ms. MURKOWSKI (for herself and Mr. MANCHIN) and intended to be proposed to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. EMERALD ASH BORER PLAN.**

Each Secretary concerned (as defined in section 10(a) of the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.)) shall expedite any action necessary to develop and carry out a plan to combat the emerald ash borer on land administered by the Secretary concerned.

**SA 147.** Mr. KENNEDY submitted an amendment intended to be proposed to amendment SA 111 submitted by Ms. MURKOWSKI (for herself and Mr. MANCHIN) and intended to be proposed to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. STUDY ON EFFECTS OF FLOODING OF AGRICULTURAL FIELDS.**

Not later than 2 years after the date of enactment of this Act, the Secretary shall carry out, and submit to Congress a report describing the results of, a study on the effects of the flooding of agricultural fields for non-agricultural purposes on duck migration.

**SA 148.** Mr. KENNEDY submitted an amendment intended to be proposed to amendment SA 111 submitted by Ms. MURKOWSKI (for herself and Mr. MANCHIN) and intended to be proposed to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. CONCESSION CONTRACTS IN THE NATIONAL WILDLIFE REFUGE SYSTEM.**

(a) **SHORT TITLE.**—Section 4 of the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd) is amended by striking the section designation and all that follows through “For the purpose of” in the first sentence of subsection (a)(1) and inserting the following:

**“SECTION 1. SHORT TITLE.**

“This Act may be cited as the ‘National Wildlife Refuge System Administration Act of 1966’.

**“SEC. 4. NATIONAL WILDLIFE REFUGE SYSTEM DESIGNATION.**

“(a) **DESIGNATION.**—

“(1) **IN GENERAL.**—For the purpose of”.

(b) **DEFINITIONS.**—The National Wildlife Refuge System Administration Act of 1966 is amended—

(1) by redesignating section 5 (16 U.S.C. 668ee) as section 2; and

(2) by moving section 2 (as so redesignated) so as to appear after section 1 (as added by subsection (a)).

(c) **CONCESSION CONTRACTS.**—The National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.) is amended by

inserting after section 2 (as redesignated by subsection (b)(1)) the following:

**“SEC. 3. MAINTENANCE AND REPAIR OF CERTAIN FACILITIES.**

“(a) **DEFINITION OF COVERED CONCESSION ACTIVITY.**—

“(1) **IN GENERAL.**—In this section, the term ‘covered concession activity’ means a commercial activity conducted to provide accommodations, facilities, or services to members of the public who are visiting land or water in the System for the purpose of providing those members of the public recreational, educational, or interpretive enjoyment of the land or water.

“(2) **EXCLUSION.**—

“(A) **IN GENERAL.**—The term ‘covered concession activity’ does not include—

“(i) any activity carried out under a procurement contract, grant agreement, memorandum of understanding, or cooperative agreement;

“(ii) the performance of volunteer services;

“(iii) any activity by a governmental entity; or

“(iv) except as provided in subparagraph (B), the performance of any guide or outfitter services authorized by any permit or other authorization issued by the Secretary, including services relating to fishing, hunting, boating, sightseeing, hiking, or camping.

“(B) **EXCEPTION.**—Clause (iv) of subparagraph (A) does not include the construction, maintenance, or occupancy of any significant structure or facility.

“(b) **MAINTENANCE AND REPAIR.**—

“(1) **IN GENERAL.**—Notwithstanding any other provision of law, the Secretary shall include in each contract that authorizes a person to use any land or water in the System for a covered concession activity provisions that—

“(A) authorize the person to maintain or repair any improvement on or in the land or water that the person is authorized to use for that activity; and

“(B) treat costs incurred by the person for the maintenance or repair described in subparagraph (A) as consideration otherwise required to be paid to the United States for that use.

“(2) **DIRECT RELATION.**—Nothing in this subsection authorizes any maintenance or repair that is not directly related to a covered concession activity authorized by a contract described in paragraph (1).

“(3) **TITLE.**—The United States shall retain title to all property that is maintained or repaired under this subsection.”.

(d) **CONFORMING AMENDMENT.**—Section 12 of Public Law 91-135 (83 Stat. 282) is amended by striking subsection (f).

**SA 149.** Mr. BRAUN (for himself and Mr. TOOMEY) submitted an amendment intended to be proposed to amendment SA 111 submitted by Ms. MURKOWSKI (for herself and Mr. MANCHIN) and intended to be proposed to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 695 of the amendment, after line 22, add the following:

**SEC. 90. REPORT ON MAINTAINING FEDERAL LAND HOLDINGS.**

Not later than 120 days after the date on which the President submits to Congress the budget of the United States for fiscal year 2020, the President shall submit to Congress a report that describes—

(1) all Federal land holdings; and

(2) the total cost of maintaining the Federal land holdings described under paragraph

(1) for each of fiscal years 2017 through 2019, including an accounting of holdings and expenditures by each Federal agency with respect to the land holdings.

**SA 150.** Mr. LEE submitted an amendment intended to be proposed to amendment SA 111 submitted by Ms. MURKOWSKI (for herself and Mr. MANCHIN) and intended to be proposed to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Strike sections 1222 through 1232 and insert the following:

**SEC. 1222. MANAGEMENT OF RECREATION AREA.**

(a) **IN GENERAL.**—The Secretary shall administer the Recreation Area—

(1) in a manner that conserves, protects, and enhances the purposes for which the Recreation Area is established; and

(2) in accordance with—

(A) this section;

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

(C) other applicable laws.

(b) **USES.**—The Secretary shall allow only uses of the Recreation Area that are consistent with the purposes for which the Recreation Area is established.

(c) **MANAGEMENT PLAN.**—

(1) **IN GENERAL.**—Not later than 5 years after the date of enactment of this Act, the Secretary shall develop a comprehensive management plan for the long-term protection and management of the Recreation Area.

(2) **REQUIREMENTS.**—The Management Plan shall—

(A) describe the appropriate uses and management of the Recreation Area;

(B) be developed with extensive public input;

(C) take into consideration any information developed in studies of the land within the Recreation Area; and

(D) be developed fully consistent with the settlement agreement entered into on January 13, 2017, in the case in the United States District Court for the District of Utah styled “Southern Utah Wilderness Alliance, et al. v. U.S. Department of the Interior, et al.” and numbered 2:12-cv-257 DAK.

(d) **MOTORIZED VEHICLES; EXISTING ROADS.**—

(1) **MOTORIZED VEHICLES.**—Except as needed for emergency response or administrative purposes, the use of motorized vehicles in the Recreation Area shall be permitted only on roads and motorized routes designated in the Management Plan for the use of motorized vehicles.

(2) **EXISTING ROADS.**—

(A) **IN GENERAL.**—Necessary maintenance or repairs to existing roads designated in the Management Plan for the use of motorized vehicles, including necessary repairs to keep existing roads free of debris or other safety hazards, shall be permitted after the date of enactment of this Act, consistent with the requirements of this section.

(B) **EFFECT.**—Nothing in this subsection prevents the Secretary from rerouting an existing road or trail to protect Recreation Area resources from degradation or to protect public safety, as determined to be appropriate by the Secretary.

(e) **GRAZING.**—

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

(A) applicable law (including regulations); and

(B) the purposes of the Recreation Area.

(2) **INVENTORY.**—Not later than 5 years after the date of enactment of this Act, the Secretary, in collaboration with any affected grazing permittee, shall carry out an inventory of facilities and improvements associated with grazing activities in the Recreation Area.

(f) **COLD WAR SITES.**—The Secretary shall manage the Recreation Area in a manner that educates the public about Cold War and historic uranium mine sites in the Recreation Area, subject to such terms and conditions as the Secretary considers necessary to protect public health and safety.

(g) **INCORPORATION OF ACQUIRED LAND AND INTERESTS.**—Any land or interest in land located within the boundary of the Recreation Area that is acquired by the United States after the date of enactment of this Act shall—

(1) become part of the Recreation Area; and

(2) be managed in accordance with applicable laws, including as provided in this section.

(h) **WITHDRAWAL.**—Subject to valid existing rights, all Federal land within the Recreation Area, including any land or interest in land that is acquired by the United States within the Recreation Area after the date of enactment of this Act, is withdrawn from—

(1) entry, appropriation, or disposal under the public land laws;

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

(3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(i) **STUDY OF NONMOTORIZED RECREATION OPPORTUNITIES.**—Not later than 2 years after the date of enactment of this Act, the Secretary, in consultation with interested parties, shall conduct a study of nonmotorized recreation trail opportunities, including bicycle trails, within the Recreation Area, consistent with the purposes of the Recreation Area.

(j) **COOPERATIVE AGREEMENT.**—The Secretary may enter into a cooperative agreement with the State in accordance with section 307(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1737(b)) and other applicable laws to provide for the protection, management, and maintenance of the Recreation Area.

#### **SEC. 1223. SAN RAFAEL SWELL RECREATION AREA ADVISORY COUNCIL.**

(a) **ESTABLISHMENT.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish an advisory council, to be known as the “San Rafael Swell Recreation Area Advisory Council”.

(b) **DUTIES.**—The Council shall advise the Secretary with respect to the preparation and implementation of the Management Plan for the Recreation Area.

(c) **APPLICABLE LAW.**—The Council shall be subject to—

(1) the Federal Advisory Committee Act (5 U.S.C. App.); and

(2) section 309 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1739).

(d) **MEMBERS.**—The Council shall include 7 members, to be appointed by the Secretary, of whom, to the maximum extent practicable—

(1) 1 member shall represent the Emery County Commission;

(2) 1 member shall represent motorized recreational users;

(3) 1 member shall represent nonmotorized recreational users;

(4) 1 member shall represent permittees holding grazing allotments within the Recreation Area or wilderness areas designated in this part;

(5) 1 member shall represent conservation organizations;

(6) 1 member shall have expertise in the historical uses of the Recreation Area; and

(7) 1 member shall be appointed from the elected leadership of a Federally recognized Indian Tribe that has significant cultural or historical connections to, and expertise in, the landscape, archeological sites, or cultural sites within the County.

#### **SEC. 1224. LIMITATION ON THE DESIGNATION OF NATIONAL MONUMENTS IN THE COUNTY.**

Notwithstanding any other provision of law, no national monuments may be established in the County under section 320301 of title 54, United States Code.

#### **Subpart B—Wilderness Areas**

#### **SEC. 1231. ADDITIONS TO THE NATIONAL WILDERNESS PRESERVATION SYSTEM.**

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

(1) **COLD WASH.**—Certain Federal land managed by the Bureau of Land Management, comprising approximately 11,001 acres, generally depicted on the Map as “Proposed Cold Wash Wilderness”, which shall be known as the “Cold Wash Wilderness”.

(2) **DESOLATION CANYON.**—Certain Federal land managed by the Bureau of Land Management, comprising approximately 142,996 acres, generally depicted on the Map as “Proposed Desolation Canyon Wilderness”, which shall be known as the “Desolation Canyon Wilderness”.

(3) **DEVIL’S CANYON.**—Certain Federal land managed by the Bureau of Land Management, comprising approximately 8,675 acres, generally depicted on the Map as “Proposed Devil’s Canyon Wilderness”, which shall be known as the “Devil’s Canyon Wilderness”.

(4) **EAGLE CANYON.**—Certain Federal land managed by the Bureau of Land Management, comprising approximately 13,832 acres, generally depicted on the Map as “Proposed Eagle Canyon Wilderness”, which shall be known as the “Eagle Canyon Wilderness”.

(5) **LABYRINTH CANYON.**—Certain Federal land managed by the Bureau of Land Management, comprising approximately 54,643 acres, generally depicted on the Map as “Proposed Labyrinth Canyon Wilderness”, which shall be known as the “Labyrinth Canyon Wilderness”.

(6) **MEXICAN MOUNTAIN.**—Certain Federal land managed by the Bureau of Land Management, comprising approximately 76,413 acres, generally depicted on the Map as “Proposed Mexican Mountain Wilderness”, which shall be known as the “Mexican Mountain Wilderness”.

(7) **MUDDY CREEK.**—Certain Federal land managed by the Bureau of Land Management, comprising approximately 98,023 acres, generally depicted on the Map as “Proposed Muddy Creek Wilderness”, which shall be known as the “Muddy Creek Wilderness”.

(8) **NELSON MOUNTAIN.**—

(A) **IN GENERAL.**—Certain Federal land managed by the Forest Service, comprising approximately 7,176 acres, and certain Federal land managed by the Bureau of Land Management, comprising approximately 257 acres, generally depicted on the Map as “Proposed Nelson Mountain Wilderness”, which shall be known as the “Nelson Mountain Wilderness”.

(B) **TRANSFER OF ADMINISTRATIVE JURISDICTION.**—Administrative jurisdiction over the 257-acre portion of the Nelson Mountain Wilderness designated by subparagraph (A) is transferred from the Bureau of Land Management to the Forest Service.

(9) **RED’S CANYON.**—Certain Federal land managed by the Bureau of Land Manage-

ment, comprising approximately 17,325 acres, generally depicted on the Map as “Proposed Red’s Canyon Wilderness”, which shall be known as the “Red’s Canyon Wilderness”.

(10) **SAN RAFAEL REEF.**—Certain Federal land managed by the Bureau of Land Management, comprising approximately 60,442 acres, generally depicted on the Map as “Proposed San Rafael Reef Wilderness”, which shall be known as the “San Rafael Reef Wilderness”.

(11) **SID’S MOUNTAIN.**—Certain Federal land managed by the Bureau of Land Management, comprising approximately 49,130 acres, generally depicted on the Map as “Proposed Sid’s Mountain Wilderness”, which shall be known as the “Sid’s Mountain Wilderness”.

(12) **TURTLE CANYON.**—Certain Federal land managed by the Bureau of Land Management, comprising approximately 29,029 acres, generally depicted on the Map as “Proposed Turtle Canyon Wilderness”, which shall be known as the “Turtle Canyon Wilderness”.

(b) **MAP AND LEGAL DESCRIPTION.**—

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

(A) the Committee on Natural Resources of the House of Representatives; and

(B) the Committee on Energy and Natural Resources of the Senate.

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

(3) **AVAILABILITY.**—Each map and legal description filed under paragraph (1) shall be on file and available for public inspection in the appropriate office of the Secretary.

#### **SEC. 1232. ADMINISTRATION.**

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

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

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

(b) **RECREATIONAL CLIMBING.**—Nothing in this part prohibits recreational rock climbing activities in the wilderness areas, such as the placement, use, and maintenance of fixed anchors, including any fixed anchor established before the date of the enactment of this Act—

(1) in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.); and

(2) subject to any terms and conditions determined to be necessary by the Secretary.

(c) **TRAIL PLAN.**—After providing opportunities for public comment, the Secretary shall establish a trail plan that addresses hiking and equestrian trails on the wilderness areas in a manner consistent with the Wilderness Act (16 U.S.C. 1131 et seq.).

(d) **LIVESTOCK.**—

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

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

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

(2) **INVENTORY.**—With respect to each wilderness area in which grazing of livestock is allowed to continue under paragraph (1), not later than 2 years after the date of enactment of this Act, the Secretary, in collaboration with any affected grazing permittee, shall carry out an inventory of facilities and improvements associated with grazing activities in the wilderness area.

(e) **ADJACENT MANAGEMENT.**—

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

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

(f) **MILITARY OVERFLIGHTS.**—Nothing in this subpart restricts or precludes—

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

(2) flight testing and evaluation; or

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

(g) **COMMERCIAL SERVICES.**—Commercial services (including authorized outfitting and guide activities) within the wilderness areas may be authorized to the extent necessary for activities that are appropriate for realizing the recreational or other wilderness purposes of the wilderness areas, in accordance with section 4(d)(5) of the Wilderness Act (16 U.S.C. 1133(d)(5)).

(h) **LAND ACQUISITION AND INCORPORATION OF ACQUIRED LAND AND INTERESTS.**—

(1) **ACQUISITION AUTHORITY.**—The Secretary may acquire land and interests in land within the boundaries of a wilderness area by donation, purchase from a willing seller, or exchange.

(2) **INCORPORATION.**—Any land or interest in land within the boundary of a wilderness area that is acquired by the United States after the date of enactment of this Act shall be added to and administered as part of the wilderness area.

(i) **WATER RIGHTS.**—

(1) **STATUTORY CONSTRUCTION.**—Nothing in this subpart—

(A) shall constitute or be construed to constitute either an express or implied reservation by the United States of any water or water rights with respect to the land designated as wilderness by section 1231;

(B) shall affect any water rights in the State existing on the date of enactment of this Act, including any water rights held by the United States;

(C) shall be construed as establishing a precedent with regard to any future wilderness designations;

(D) shall affect the interpretation of, or any designation made pursuant to, any other Act; or

(E) shall be construed as limiting, altering, modifying, or amending any of the interstate compacts or equitable apportionment decrees that apportion water among and between the State and other States.

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

(j) **MEMORANDUM OF UNDERSTANDING.**—The Secretary shall offer to enter into a memorandum of understanding with the County, in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), to clarify the approval processes for the use of motorized equipment

and mechanical transport for search and rescue activities in the Muddy Creek Wilderness established by section 1231(a)(7).

**SA 151.** Mr. LEE submitted an amendment intended to be proposed to amendment SA 111 submitted by Ms. MURKOWSKI (for herself and Mr. MANCHIN) and intended to be proposed to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . ACREAGE LIMITATIONS FOR CONVEYANCES OF PUBLIC LAND FOR RECREATIONAL AND PUBLIC PURPOSES.**

Section 1 of 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), is amended—

(1) in subsection (a)—

(A) in the second sentence, by striking “640” and inserting “6,400”; and

(B) in the third sentence, by striking “six hundred forty” and inserting “6,400”; and

(2) in subsection (b)—

(A) in clause (i)—

(i) in subparagraph (A)—

(I) by striking “six thousand four hundred” and inserting “64,000”; and

(II) by striking “ten” and inserting “100”; and

(ii) in subparagraph (B), by striking “six hundred and forty” and inserting “6,400”; and

(iii) in subparagraph (C), in the first sentence, by striking “twenty-five thousand six hundred” and inserting “256,000”; and

(B) in clause (ii), by striking “six hundred and forty” each place it appears and inserting “6,400”.

**SA 152.** Mr. LEE submitted an amendment intended to be proposed to amendment SA 111 submitted by Ms. MURKOWSKI (for herself and Mr. MANCHIN) and intended to be proposed to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1121.

Strike section 1201.

Strike section 1204.

Strike section 1205.

Strike subtitle E of title I.

Strike subtitle C of title VIII.

Strike section 9003.

**SA 153.** Mr. LEE (for himself and Mr. ROMNEY) submitted an amendment intended to be proposed to amendment SA 111 submitted by Ms. MURKOWSKI (for herself and Mr. MANCHIN) and intended to be proposed to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, add the following:

**SEC. \_\_\_\_ . LIMITATION ON THE ESTABLISHMENT OR EXTENSION OF NATIONAL MONUMENTS IN THE STATE OF UTAH.**

Section 320301 of title 54, United States Code, is amended by adding at the end the following:

“(e) **LIMITATION ON THE ESTABLISHMENT OR EXTENSION OF NATIONAL MONUMENTS IN THE STATE OF UTAH.**—Notwithstanding any other

provision of this section, the President may not establish or extend a national monument in the State of Utah (referred to in this subsection as the ‘State’) unless—

“(1) the extension or establishment has been authorized by an Act of Congress; and

“(2) the President has received from the Governor of the State notice that the State legislature has enacted legislation approving the proposed establishment or extension.”.

**SA 154.** Mr. LEE (for himself, Mr. LANKFORD, Mr. TOOMEY, and Mr. ROMNEY) submitted an amendment intended to be proposed to amendment SA 111 submitted by Ms. MURKOWSKI (for herself and Mr. MANCHIN) and intended to be proposed to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, add the following:

**SEC. \_\_\_\_ . LIMITATION ON THE EXTENSION OR ESTABLISHMENT OF NATIONAL MONUMENTS IN THE STATE OF UTAH.**

Section 320301(d) of title 54, United States Code, is amended—

(1) in the heading, by striking “WYOMING” and inserting “THE STATE OF WYOMING OR UTAH”; and

(2) by striking “Wyoming” and inserting “the State of Wyoming or Utah”.

**SA 155.** Mr. LEE submitted an amendment intended to be proposed to amendment SA 111 submitted by Ms. MURKOWSKI (for herself and Mr. MANCHIN) and intended to be proposed to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

In section 3001(b), strike paragraph (3) and insert the following:

(3) by adding at the end the following:

“(b) **ALLOCATION OF FUNDS.**—Of the total amount made available to the Fund through appropriations or deposited in the Fund under section 105(a)(2)(B) of the Gulf of Mexico Energy Security Act of 2006 (43 U.S.C. 1331 note; Public Law 109-432)—

“(1) not more than 50 percent shall be used for Federal purposes; and

“(2) not less than 50 percent shall be used to provide financial assistance to States.”.

**SA 156.** Mr. LEE (for himself and Mr. LANKFORD) submitted an amendment intended to be proposed to amendment SA 111 submitted by Ms. MURKOWSKI (for herself and Mr. MANCHIN) and intended to be proposed to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

In section 3001, strike subsection (a) and insert the following:

(a) **IN GENERAL.**—Section 200302 of title 54, United States Code, is amended—

(1) in subsection (b), in the matter preceding paragraph (1), by striking “September 30, 2018” and inserting “September 30, 2028”; and

(2) in subsection (c)(1), by striking “September 30, 2018” and inserting “September 30, 2028”.

**SA 157.** Mr. SCHATZ (for himself and Mr. CASSIDY) submitted an amendment

intended to be proposed by him to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title II, add the following:

**SEC. 24. MODIFICATIONS TO THE PRESERVE AMERICA PROGRAM.**

(a) PURPOSES.—The purposes of this section are—

(1) to strengthen economic development across the United States by supporting cultural heritage tourism and historic preservation activities through the Preserve America Program; and

(2) to encourage the Director of the National Park Service to partner with gateway communities (including Native American communities and National Heritage Areas) to leverage local cultural and historic heritage tourism assets.

(b) PRESERVE AMERICA GRANT PROGRAM.—

(1) ESTABLISHMENT.—Section 311102 of title 54, United States Code, is amended—

(A) in subsection (d)—

(i) in paragraph (1), by inserting “and the Secretary of Commerce” after “Council”; and

(ii) by adding at the end the following:

“(3) ADVISORY ROLE OF SECRETARY OF COMMERCE.—The Secretary of Commerce shall advise the program with respect to job creation, economic growth, and tourism policy and promotion.”; and

(B) by adding at the end the following:

“(f) TECHNICAL ASSISTANCE.—

“(1) IN GENERAL.—For any fiscal year for which funds are not made available to provide grants under this section, to the extent practicable, the program shall, in lieu of the grants, provide technical assistance to the eligible entities described in subsection (a) for projects that meet the eligibility requirements described in subsection (b), as identified on the list of projects prepared by the Secretary in accordance with subsection (d).

“(2) LIMITATION.—The Secretary may take into account the availability of staff resources at the Department of the Interior, the Council, and the Department of Commerce for purposes of determining the number of projects that are provided technical assistance under this subsection.

“(3) FORM.—The form of technical assistance under paragraph (1) may include technical assistance provided by—

“(A) the Director, with respect to—

“(i) best practices in visitor services;

“(ii) the conduct of research, inventories, and surveys;

“(iii) the documentation of historic resources; and

“(iv) the interpretation and promotion of cultural and heritage assets;

“(B) the Council, with respect to historic preservation initiatives and best practices in stewardship; and

“(C) the Secretary of Commerce, with respect to economic development and job creation resources.”.

(2) PROGRAM METRICS.—Chapter 3111 of title 54, United States Code, is amended—

(A) by redesignating section 311105 as section 311106; and

(B) by inserting after section 311104 the following:

**“§ 311105. Reports**

“(a) METRICS.—Not later than 180 days after the date of enactment of the Natural Resources Management Act, the Secretary, in consultation with the Council and the Secretary of Commerce, shall develop specific metrics to measure the effectiveness of the program, including—

“(1) the economic impact of the program on local communities (including Native American communities and National Heritage Areas); and

“(2) the effect of the program on efforts to preserve heritage resources.

“(b) GRANTEE REPORT.—Not later than 2 years after the date on which a grantee receives a grant or technical assistance under this chapter, the grantee shall submit to the Secretary a report that—

“(1) describes the outcome of the project that was provided a grant or technical assistance under this chapter; and

“(2) based on the metrics developed under subsection (a), assesses—

“(A) the accomplishments of the project; and

“(B) the impact of the project on the community in which the project was carried out.

“(c) ANNUAL REPORTS.—The Secretary shall submit an annual report to the appropriate committees of Congress that includes data provided by grantees to demonstrate the economic impact of the program.”.

(3) CONFORMING AMENDMENT.—The table of sections for chapter 3111 of title 54, United States Code, is amended by striking the item relating to section 311105 and inserting the following:

“311105. Reports.

“311106. Authorization of appropriations.”.

(c) NATIONAL PARK SERVICE PARTNERSHIPS WITH GATEWAY COMMUNITIES.—

(1) IN GENERAL.—Subdivision 1 of division B of subtitle III of title 54, United States Code, is amended by adding at the end the following:

**“CHAPTER 3092—PARTNERSHIPS WITH GATEWAY COMMUNITIES**

“Sec.

“309201. Definitions.

“309202. Partnerships with gateway communities.

“309203. Report.

“309204. Authorization of appropriations.

**“§ 309201. Definitions**

“In this chapter:

“(1) APPROPRIATE CONGRESSIONAL COMMITTEE.—The term ‘appropriate congressional committee’ means—

“(A) the Committee on Commerce, Science, and Transportation of the Senate;

“(B) the Committee on Energy and Natural Resources of the Senate;

“(C) the Committee on Appropriations of the Senate;

“(D) the Committee on Energy and Commerce of the House of Representatives;

“(E) the Committee on Natural Resources of the House of Representatives; and

“(F) the Committee on Appropriations of the House of Representatives.

“(2) GATEWAY COMMUNITY.—The term ‘gateway community’ means a community adjacent to a unit of the System, including a Native American community or a National Heritage Area.

“(3) HERITAGE TOURISM.—The term ‘heritage tourism’ has the meaning given the term in section 311101.

**“§ 309202. Partnerships with gateway communities**

“(a) IN GENERAL.—The Secretary shall, to the extent practicable, offer to enter into partnerships with gateway communities to leverage heritage tourism assets to strengthen local economies and create jobs in the gateway communities with the goal of establishing a standardized framework for partnerships throughout the System, including through—

“(1) providing financial assistance to gateway communities to support outreach and promotional efforts;

“(2) providing technical assistance to gateway communities based on Service best prac-

tices in tourism development and visitor management, such as—

“(A) inventorying tourism resources in the gateway community;

“(B) identifying historic heritage and cultural resources;

“(C) engaging collaborative partners and stakeholders;

“(D) designing community outreach and participation strategies;

“(E) developing concept plans for trails, parks, historic resources, and natural areas;

“(F) developing sustainable tourism development frameworks for community planning; and

“(G) encouraging regional strategies for tourism development and promotion; and

“(3) assisting gateway communities in accessing additional Federal resources available to strengthen tourism assets and support economic development.

“(b) OBTAINING FINANCIAL AND TECHNICAL ASSISTANCE.—The Secretary, in consultation with stakeholders of System units, shall establish a process through which States, units of local government, and Tribal governments may apply for designation as a gateway community to become eligible for financial and technical assistance made available under this section.

“(c) METRICS.—The Secretary, in consultation with gateway communities, shall develop metrics to measure the impact of the financial and technical assistance provided to gateway communities under this section.

**“§ 309203. Report**

“Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report that—

“(1) describes the efforts of the Secretary to partner with gateway communities under this chapter;

“(2) analyzes the results of the financial and technical assistance using the metrics developed under section 309202(c); and

“(3) identifies—

“(A) the next steps that should be taken to improve partnerships with gateway communities; and

“(B) any actions that the Secretary will take to improve the partnerships.

**“§ 309204. Authorization of appropriations**

“There are authorized to be appropriated such sums as are necessary to carry out this chapter.”.

(2) CONFORMING AMENDMENT.—The table of chapters for title 54, United States Code, is amended by inserting after the item relating to chapter 3091 the following:

“3092. Partnerships with gateway communities ..... 309201”.

**AUTHORITY FOR COMMITTEES TO MEET**

Mr. CORNYN. Mr. President, I have 8 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Wednesday, February 6, 2019, at 9:45 a.m., to conduct a hearing entitled

“Organizational business meeting to consider committee rules, subcommittee assignments, and committee budget resolutions.”

COMMITTEE ON COMMERCE, SCIENCE, AND  
TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Wednesday, February 6, 2019, at 10 a.m., to conduct an executive hearing.

COMMITTEE ON COMMERCE, SCIENCE, AND  
TRANSPORTATION,

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Wednesday, February 6, 2019, at 10 a.m., to conduct a hearing entitled “Winning the Race to G and the Next Era of Technology Innovation in the United States”.

COMMITTEE ON HOMELAND SECURITY AND  
GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Wednesday, February 6, 2019, at 10 a.m., to conduct an organizational hearing.

COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs is authorized to meet during the session of the Senate on Wednesday, February 6, 2019, at 2:30 p.m., to conduct a business meeting and hearing entitled “Organizational business meeting to consider committee rules, subcommittee assignments, and an original resolution authorizing expenditures by the committee.”

COMMITTEE ON VETERANS’ AFFAIRS

The Committee on Veterans’ Affairs is authorized to meet during the session of the Senate on Wednesday, February 6, 2019, to conduct a hearing entitled “Organizational business meeting to consider committee rules, subcommittee assignments, and committee budget resolutions.”

SPECIAL COMMITTEE ON AGING

The Special Committee on Aging is authorized to meet during the session of the Senate on Wednesday, February 6, 2019, at 9:30 a.m., to conduct a hearing entitled “Financial Security in Retirement: Innovation and Best Practices to Promote Savings.”

SUBCOMMITTEE ON READINESS AND  
MANAGEMENT SUPPORT

The Subcommittee on Readiness and Management Support of the Committee on Armed Services is authorized to meet during the session of the Senate on Wednesday, February 6, 2019, at 2:30 p.m., to conduct a closed hearing.

UNANIMOUS CONSENT AGREE-  
MENT—READING OF WASHING-  
TON’S FAREWELL ADDRESS

Mr. McCONNELL. Mr. President, I ask unanimous consent that notwithstanding the resolution of the Senate of January 24, 1901, the traditional reading of Washington’s Farewell Address take place on Monday, February

25, 2019, at a time to be determined by the majority leader in consultation with the Democratic leader.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to the order of the Senate of January 24, 1901, as modified by the order of February 6, 2019, appoints the Senator from Nebraska (Mrs. FISCHER) to read Washington’s Farewell Address on Monday, February 25, 2019.

The Chair announces on behalf of the Committee on Finance, pursuant to section 8002 of title 26, U.S. Code, the designation of the following Senators as members of the Joint Committee on Taxation: the Senator from Iowa (Mr. GRASSLEY), the Senator from Idaho (Mr. CRAPO), the Senator from Wyoming (Mr. ENZI), the Senator from Oregon (Mr. WYDEN), and the Senator from Michigan (Ms. STABENOW).

The Chair, in accordance with Public Law 93-618, as amended by Public Law 100-418, on behalf of the President pro tempore and upon the recommendation of the Chairman of the Committee on Finance, appoints the following Members of the Finance Committee as congressional advisers on trade policy and negotiations to international conferences, meetings and negotiation sessions relating to trade agreements: the Senator from Iowa (Mr. GRASSLEY), the Senator from Idaho (Mr. CRAPO), the Senator from Kansas (Mr. ROBERTS), the Senator from Oregon (Mr. WYDEN), and the Senator from Michigan (Ms. STABENOW).

The Chair announces, on behalf of the Democratic Leader, pursuant to the provisions of Public Law 100-458, sec. 114(b)(2)(c), the appointment of the following individual to serve as a member of the Board of Trustees of the John C. Stennis Center for Public Service Training and Development for a term expiring 2020: the Honorable CHRISTOPHER A. COONS of Delaware vice Mike Moore of Mississippi.

SUPPORTING THE CONTRIBUTIONS  
OF CATHOLIC SCHOOLS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Health, Education, Labor, and Pensions Committee be discharged from further consideration of, and the Senate now proceed to, S. Res. 33.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 33) supporting the contributions of Catholic schools.

There being no objection, the Committee was discharged, and the Senate proceeded to consider the resolution.

Mr. McCONNELL. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the

motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 33) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of January 28, 2019, under “Submitted Resolutions.”)

RECOGNIZING THE STAFF OF THE  
OFFICE OF THE LEGISLATIVE  
COUNSEL OF THE SENATE ON  
THE 100TH ANNIVERSARY OF  
THE OFFICE

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 53, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 53) recognizing the staff of the Office of the Legislative Counsel of the Senate on the occasion of the 100th anniversary of the Office.

There being no objection, the Senate proceeded to consider the resolution.

Mr. McCONNELL. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 53) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today’s RECORD under “Submitted Resolutions.”)

ORDERS FOR THURSDAY,  
FEBRUARY 7, 2019

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 12 noon, Thursday, February 7; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; finally, that following leader remarks, the Senate resume consideration of the motion to proceed to S. 47, with all postcloture time on the motion to proceed expired.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL TOMORROW

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:18 p.m., adjourned until Thursday, February 7, 2019, at 12 noon.



## NOMINATIONS

## Executive nominations received by the Senate:

## NATIONAL CREDIT UNION ADMINISTRATION

TODD M. HARPER, OF VIRGINIA, TO BE A MEMBER OF THE NATIONAL CREDIT UNION ADMINISTRATION BOARD FOR A TERM EXPIRING APRIL 10, 2021, VICE DEBORAH MATZ, RESIGNED.

## UNITED STATES TAX COURT

TRAVIS GREAVES, OF THE DISTRICT OF COLUMBIA, TO BE A JUDGE OF THE UNITED STATES TAX COURT FOR A TERM OF FIFTEEN YEARS, VICE JUAN F. VASQUEZ, TERM EXPIRED.

MARK VAN DYKE HOLMES, OF NEW YORK, TO BE A JUDGE OF THE UNITED STATES TAX COURT FOR A TERM OF FIFTEEN YEARS. (REAPPOINTMENT)

COURTNEY DUNBAR JONES, OF VIRGINIA, TO BE A JUDGE OF THE UNITED STATES TAX COURT FOR A TERM OF FIFTEEN YEARS, VICE JOHN O. COLVIN, RETIRED.

EMIN TORO, OF VIRGINIA, TO BE A JUDGE OF THE UNITED STATES TAX COURT FOR A TERM OF FIFTEEN YEARS, VICE JOSEPH ROBERT GOEKE, TERM EXPIRED.

## THE JUDICIARY

STANLEY BLUMENFELD, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE CENTRAL DISTRICT OF CALIFORNIA, VICE AUDREY B. COLLINS, RETIRED.

DANIEL AARON BRESS, OF CALIFORNIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE NINTH CIRCUIT, VICE ALEX KOZINSKI, RETIRED.

PATRICK J. BUMATAY, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF CALIFORNIA, VICE MARILYN L. HUFF, RETIRED.

DANIEL P. COLLINS, OF CALIFORNIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE NINTH CIRCUIT, VICE HARRY PREGERSON, RETIRED.

KENNETH KIYUL LEE, OF CALIFORNIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE NINTH CIRCUIT, VICE STEPHEN R. REINHARDT, DECEASED.

JEREMY B. ROSEN, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE CENTRAL DISTRICT OF CALIFORNIA, VICE MARGARET M. MORROW, RETIRED.

MARK C. SCARSI, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE CENTRAL DISTRICT OF CALIFORNIA, VICE GEORGE H. KING, RETIRED.

## IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

LT. GEN. VERALINN JAMIESON

## IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. DUANE A. GAMBLE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be general*

GEN. STEPHEN J. TOWNSEND

## IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE GRADES INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 531 AND 716:

*To be lieutenant colonel*

PATRICK N. WESTMORELAND

*To be major*

JOSEPH A. CALAMAI  
MICHAEL P. CRAIG  
JOEL L. DETRICK  
KEVIN M. HUGHES  
AARON J. LIPPY

## IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

*To be major*

ADRIAN ACEVEDO  
EVAN N. ADAMS  
REMINGTON D. ADAMS  
WILLIS B. AKERS IV  
ANDRE C. ALBONG  
KATHLEEN E. ALPIN  
CHAD A. ALFORD  
BRIAN K. ALLISTON  
WILLIAM B. ALLOISIO  
ANDREW M. ALOISIO  
MATTHEW R. ALVEY  
AARON W. AMACKER  
EMMANUEL F. AMBROISE  
JACOB M. AMSDEN

CHRISTOPHER W. AMSLEY  
GARRETT D. ANDERSON  
JASON L. ANDERSON  
JOHN P. ANDREWS  
BLAIR T. ANTHONY  
CHRISTOPHER A. ARNETT  
NICHOLAS P. ASHLEY  
CHRISTOPHORO ATHANASOPOULOS  
KYLE R. ATWELL  
JUSTIN R. AUGUST  
DONALD R. AURAY  
JONATHAN C. AUSTIN  
GREGORY AVANT  
EDWARD M. BACHAR  
DARNELL L. BADGER  
JASON J. BAGGOTT  
COLIN J. BAGGS  
GARRETT C. BAILEY  
GEORGE W. BAILEY, JR.  
STEVEN M. BAILEY  
JOSHUA C. BAKER  
MICHAEL R. BAKER  
JARED S. BALDWIN  
ZACHARY B. BALDWIN  
ERICK S. BALISH  
DANIEL L. BALL  
GWENDOLYN J. BAMFORD  
DAVID J. BANAS  
SAMUEL B. BANKS  
LESLIE P. BARKSDALE  
VIRGIL J. BARNARD  
STEPHEN A. BARNES  
TARIEL E. BARRAGAN  
TREVOR R. BARRETT  
GREGORY J. BARRY  
MATTHEW P. BASILICO  
JAMES M. BATES  
KRISTOPFER M. BATES  
DANIEL J. BAUSCHER  
THOMAS W. BAZEMORE  
JOSEPH C. BECKMAN  
STEVEN A. BECKMAN, JR.  
JAY G. BEEMAN  
JEFFREY J. BENDER  
JOSHUA B. BENEVIAT  
CHRISTOPHER T. BENJUMEA  
MICHAEL B. BENSON  
JOSEPH E. BERLIN  
ANDREW A. BERRITH  
TODD A. BERRIOS  
CURTIS L. BEW  
ERIC T. BIERSCHEK  
PAUL J. BILLY  
NATHANIEL J. BISHOP  
ANDREW W. BISSET  
ERICK T. BLACKHAM  
ROBERT T. BLACKMAN  
TATIANA R. BLANC  
KALEB S. BLANKENSHIP  
ANDREW J. BLK  
CHRISTOPHER D. BLOM  
JOSHUA E. BOBBITT  
RHETT A. BOCHETTE  
HERBERT A. BOEDECKER  
KURT L. BOEHMER  
NATHAN R. BOLING  
BRENT M. BOND  
JORGE A. BONILLAMANCHAN  
GARY BOSTIC  
TYLOR D. BOTT  
SCOTT W. BOURNE  
BLAKE M. BOWLE  
ALEXANDER L. BOWLING  
NICHOLAS R. BOWMAN  
JOSHUA L. BOYLE  
RONALD W. BRAASCH  
RICHARD A. BRADLEY II  
LUKE T. BRADY  
DESMOND J. BRAZIEL  
JAY M. BREND  
DAVID R. BRENNAN  
THOMAS P. BRICELAND  
ANDREW J. BRIGGS  
EARL J. BRIGHT  
ANDREW J. BRIGMAN  
CHAD A. BRINK  
ANITA M. BROOKS  
LAMONT E. BROOKS  
WAYNE H. BROOKS, JR.  
CORY L. BROWN  
DEREK T. BROWN  
JOHNATHAN S. BROWN  
MATTHEW R. BROWN  
RYAN G. BROWN  
ROBIN C. BRUCE  
BENJAMIN J. BRUDER  
TRAVIS L. BRUNSON  
ADAM K. BRYANT  
JASON G. BRYANT  
BRENT T. BUBANY  
JOHN W. BUCHANAN, JR.  
RYAN E. BUCHANAN  
PAUL S. BUNCIC  
ANTHONY T. BURCH  
JASON W. BURGESS  
EMMANUEL J. BURKS  
TYLER J. BURNISTON  
KEVIN M. BURNS  
ANDRE D. BYRD  
WILLIAM S. BYRD, JR.  
JAMES R. CALDWELL  
JOEL CAMACHO  
ANDREW S. CAMPBELL  
BRIAN A. CAMPBELL  
DENIS P. CAMPBELL  
MAKONEN A. CAMPBELL  
MICHAEL J. CAMPBELL

MORGAN W. CAMPBELL  
MARIANO J. CANNONE  
SCOTT T. CAPELA  
PAUL A. CAPONE  
ANTHONY D. CAPOZZI  
EDMUND J. CARAZO III  
NICHOLAS B. CARBAUGH  
ROSS W. CARGILE  
CHRISTOPHER S. CARLSON  
ROBERT W. CARNEY  
MATTHEW J. CARPENTER  
AARON J. CARRAWAY  
SPENCER G. CARRIKER  
KENNETH V. CARROLL II  
ABIGAIL G. CARTER  
MICHAEL P. CASPERS  
CHAD A. CASSIDY  
ORLANDO R. CASTANEDA  
JOEL O. CASTRO  
NATHAN R. CATCHING  
AUSTIN B. CATTLE  
OMAR M. CAVALIER  
DAVID A. CELSKI  
MATTHEW CERNIGLIA  
JON M. CHACHULA  
MICHAEL A. CHANDLER  
SEAN S. CHANG  
STEVEN R. CHASE  
CHRISTOPHER J. CHAVEZ  
MICHAEL CHAVEZ  
KEVIN A. CHESNUT  
LINDA M. CHO  
BRIAN H. CHOI  
DOK K. CHON  
ANTHONY L. CHUNG  
ROBERT C. CHURCHILL  
DOMINICK J. CINOTTO  
MICHAEL T. CLAPPER  
ABDULLAH H. CLARK  
ANDREW M. CLARK  
BRITTANY M. CLARK  
WILLIAM L. CLARK  
ANDRE J. CLAYBURN  
WILLIAM C. CLIFLAND  
NICK CLEMMER  
ARTHUR N. CLYMER  
MACKENZIE S. COLELLA  
DAVID P. COLEMAN  
PAUL M. COLEMAN  
ROBERT W. COLEMAN  
JOHN C. COLLIER  
JOSEPH F. COLLIER  
JAY R. COLLOTON  
JOEL P. CONCANNON  
MICHAEL A. CONFORTI  
MATTHEW N. CONNELL  
MATTHEW B. CONNER  
BRIAN A. COOK  
ERIC V. CORNELIUS  
THOMAS C. CORRELL  
SETH D. CORRIGAN  
ANDREW D. COTTER  
BRANDON R. COUNTS  
DALE E. COX  
MATTHEW Q. COX  
TRENTON J. COYLE  
MATTHEW J. CROMPTON  
WELLS L. CRAWLEY  
BYRON L. CRITCHFIELD  
HENRY J. CROFOOT  
JUSTIN J. CROTTTS  
DANNY CRUZ  
DANIEL C. CUMMINGS  
STEVEN A. CUMMINGS  
CHRISTOPHER J. CURRAN  
KEITH A. DAILEY  
LANCELOT A. DALEY  
JONATHAN D. DAMALOUJI  
SCOTT A. DARHOWER  
JOSHUA P. DAVID  
BENJAMIN A. DAVIS  
DERRICK M. DAVIS  
KYLE C. DAVIS  
DANIEL O. DAVISON  
DREW T. DEAL  
CLIFFORD DECOSTER  
BRIAN M. DEGEN  
JOSEPH E. DEHAVEN  
BRAULIO DEJESUSSANTIAGO  
JAVIER A. DELATORRE  
OSCAR DELGADOVEANA  
EDWIN C. DENHARDER  
ROBERT Q. DEPPA  
WILLIAM F. DEROBERTS  
DAVID J. DEVINE  
HERITIER N. DIKABANA  
JOVAN F. DIAZ  
CHARLES A. DIB  
CLINT L. DICKERSON  
AVALON E. DILLON  
DARRYL L. DILTZ, JR.  
ENOCH J. DIXON  
JEFFREY S. DONIS  
ADAM B. DOTTS  
ROBERT L. DOUGHTY  
MICHAEL J. DOYLE  
NATHAN R. DUE  
CORBYN J. DUKE  
JONATHAN T. DUKE  
DUSTIN M. DUNCAN  
THOMAS A. DUNCAN  
MICHAEL J. DUNGEY, JR.  
MYLES W. DURKIN  
DYMITRI A. DUTKANICZ  
CHARLES F. A. DVORAK  
DONALD J. DYER  
CHARLES M. EASON

GEOFFREY P. EDMONDS  
 JESSE L. EDWARDS  
 WILLIAM A. EGGERS  
 CHRISTOPHER R. ELAM  
 NATHAN A. ELKINS  
 DAVID R. ENGOEN  
 MEGAN M. ENNENGA  
 JILLIAN J. ERIKSSON  
 JOSHUA D. ESLINGER  
 CHARLES A. EVANS  
 MICHAEL J. EZELL, JR.  
 ALEXEI FAIBLOUT  
 JOSEPH M. FANNING  
 CHRISTOPHER A. FARMER  
 MARCUS D. FARMER  
 LOUIS E. FAY  
 CHRISTINA J. FENSTERMAKER  
 HELAMAN P. FEPULEAI  
 TAYLOR R. FERNANDEZ  
 MICHAEL S. FERNHOLZ  
 DAVID A. FERREIRA  
 DANIEL J. FERRY IV  
 PHILIP R. FICKEN  
 ANGEL E. FIGUEROA  
 MICHAEL A. FILIZETTI  
 ALBERT J. FINOCCHIARO, JR.  
 JASON R. FISH  
 BRIANA D. FISK  
 CHARLES T. FITZGERALD  
 DANIEL P. FITZGERALD  
 PATRICK M. FLANNAGAN  
 MICHAEL F. FLEMING  
 JOSHUA G. FLETCHER  
 MATTHEW M. FLETCHER  
 RAYMOND G. FLETCHER  
 TRUETT F. FLOYD  
 ROGER J. FOLEY, JR.  
 WILLIAM FOLINUSZ  
 JOSEPH J. PONTANA  
 ANTHONY M. FORMICA  
 MARCUS B. FORRESTER  
 AMANDA G. FORT  
 MICHAEL L. FORTUNE  
 BENJAMIN M. FRANKLIN  
 JOHN E. FRANKLIN  
 ANDREW J. FREEMAN  
 DAVID C. FREEMAN  
 DAVID G. FROST  
 WILLIAM L. FULLER  
 NICHOLAS C. FULTZ  
 JORDAN M. FUNDERBURK  
 STEPHEN A. GAGNON  
 BRYAN P. GALAS  
 DAVID R. GALBREATH  
 MICHAEL J. GALLOW  
 JOSEPH M. GAMBINO  
 JASON S. GARCIA  
 DAVID T. GARDNER  
 KYLE E. GARDNER  
 CHRISTOPHER J. GARLICK  
 ANTONIO GAROFALO  
 MARK D. GARRISON  
 NICHOLAS H. GARVER  
 MARK C. GAUDET  
 BRIAN J. GAUDETTE  
 GREGORY A. GEORGE  
 CHARLES H. GEORGI  
 GRIFFITH R. GETTY  
 JESSE D. GEYER  
 DESIREE M. GIANGREGORIO  
 RYAN B. GIBBONS  
 SHAUN L. GILBERT  
 BRANDON H. GILLIS  
 SHANTEL K. GLASS  
 TROY B. GLOVER  
 JOHN G. GONZALES  
 MICHAEL N. GONZALEZ  
 YARICK GONZALEZ  
 MICHAEL P. GOODMAN  
 GERALD H. GORSS  
 STEPHEN M. GOUTHRO  
 WILEY W. GRANT  
 JEB S. GRAYDON  
 JACOB A. GREEN  
 OLEG GREEN  
 PATRICK M. GRESS  
 SEAN D. GRIFFIN  
 JAYPATRICK GRIFFITH  
 ROBERT T. GRIFFITH  
 JEFFREY A. GRIMES  
 BRIAN P. GRISHAM  
 JACOB P. GROB  
 BENJAMIN J. GROEN  
 IAN P. GRUNDHAUSER  
 ZHUOYI GU  
 ADAM P. GUAY  
 MICHAEL E. GUERRETTAZ  
 MATTHEW J. GURNIAK  
 ERIC J. GUTIERREZ  
 PAUL M. GUZMAN  
 JACOB B. HAAG  
 JOHN A. HACKMANN  
 KYLE A. HAGER  
 BENJAMIN B. HAGGERTY  
 ERIN C. HAHN  
 TRAVIS A. HAIGLER  
 CHARLES B. HALE  
 JEFFREY A. HALL  
 MATTHEW D. HANES  
 JAMES B. HARCUS  
 HENRY G. HARPEN  
 TAYLOR S. HARRINGTON  
 CHARLES L. HARRIS  
 SPENCER A. HARVEY  
 BRIAN H. HAUSLE  
 BRADEN O. HAWKINS  
 TRAVIS N. HAWKINS

BLAKE R. HAWTHORNE  
 ANDREW W. HEADID  
 ANDREW J. HEATH  
 KEVIN J. HEATH  
 MATTHEW J. HEATH  
 MEGAN L. HEDMAN  
 AARON J. HEFFELPINGER  
 JARED T. HELLE  
 AMANDA S. HENDRICK  
 JOSHUA A. HENRY  
 TODD M. HERGERT  
 JOSE T. HERNANDEZTORRES  
 ADAM M. HERRING  
 ANDREW V. HIBBS  
 BOBBY L. HILL  
 CANDACE J. HILL  
 ROBERT C. HILL, JR.  
 ANDREW R. HINNANT  
 JARED B. HIRSCHKORN  
 DEREK S. HIRTZ  
 TYLER A. HITTER  
 GREGORY J. HJELLE  
 MICHAEL B. HOBGOOD  
 DANIEL D. HOCKSTEDLER  
 DANIEL J. HOGAN  
 STEVEN C. HOJNICKI  
 KELLY A. HOLLERAN  
 JARED E. HOLLOWS  
 JAMIE L. HOLM  
 GREGORY K. HOLMES  
 COREY M. HOLOWACH  
 ALFRED P. T. HOLTZ  
 ASHLEY F. HOLZMANN  
 DENARD HONEYSUCKLE  
 WILLIAM A. HOOVER  
 BRIAN A. HOTCHKISS  
 DAVID T. HOUDE  
 CHRISTOPHER S. HOUSEL  
 NATHAN W. HOUSTON  
 MICHAEL C. HOWARD  
 RONALD T. HOWELL II  
 MARC A. HOWLE  
 THOMAS A. HUENS  
 DAVID R. HUGHES  
 NATHAN S. HUMBERT  
 ALEXANDER M. HUMES  
 ANDREW L. HUMMEL  
 WILLIAM P. HURT  
 ERIC HUERTADO  
 JAMES J. HYMAN  
 OSCAR IBARRA  
 NEVILLE S. IBIT  
 WILLIAM J. INGE  
 CLAUDIO R. INNOCENTI  
 ANTONIO E. JACKSON  
 MATTHEW D. JACOBS  
 WILL J. JANOTKA  
 ELOISE S. JEANBART  
 JAMES M. JENNINGS  
 ARIC H. JENSEN  
 DANIEL JIMENEZ  
 MARTIN A. JOHNSON  
 TRAVIS D. JOHNSON  
 BRANDEN L. JONES  
 CHARLES W. JONES  
 IAN T. JONES  
 JAMES B. JONES  
 JAMES O. JONES, JR.  
 KYLE C. JONES  
 LYNN N. JONES  
 MATTHEW C. JONES  
 TODD R. JONES  
 STEVEN L. JORDAN  
 STEDROY P. JOSEPH  
 KEVIN JOYCE  
 LOREN F. KACOROSKI  
 GEORGE H. KANE  
 MISON KANG  
 JOSHUA B. KASSEL  
 RICHARD A. KATTE  
 PHILIP E. KAUTZ  
 JOHN A. KEARBY  
 MICHAEL R. B. KEARNES  
 PAUL M. KEARNEY  
 JAMES C. KEATON  
 TIMOTHY J. KEILTY  
 MATTHEW D. KELLEHER  
 JUSTIN M. KEMP  
 SEAN I. KENNEDY  
 MAURICE G. KENNER  
 DANIEL G. KEYSER  
 RYAN R. KIDD  
 DAVID T. KIM  
 JONG S. KIM  
 ADAM J. KINDER  
 RYAN L. KLINE  
 MARK A. KLOIBER  
 RAYMOND T. KUTSE  
 JOSEPH C. KNIGHT  
 MICHAEL P. KNIGHT  
 PAUL L. KNUDSEN  
 LUKE E. KOEHLER  
 PATRICK D. KOHLER  
 JARED R. KOLB  
 DANIEL J. KONOPA  
 KIMBERLY G. KOPACK  
 JOSHUA T. KOPSIE  
 KENNETH D. KOVACH  
 LIAM J. KOZMA  
 CHESTER N. KRAFT  
 ANDREW M. KRUMM  
 MATTHEW V. KRUPSKI  
 ADAM R. KUBATZKE  
 RICHARD D. KUBU  
 ERIC D. LAIN  
 PATRICK R. LAMONDA  
 ANDREW D. LANCE

DAVID T. LANGDON  
 TATE E. LANGLEY  
 JESSE W. LANSFORD  
 WILLIAM J. LARSEN  
 COLBY R. LARSON  
 ROBERT T. LAUFER  
 JEFFREY J. LAUGHLIN  
 JOSEPH C. LAW  
 DANIEL L. LE  
 ALBERT G. LEDDY  
 BRIAN N. LEE  
 BRYAN D. LEE  
 JAMES R. LEE  
 JESSE LEE  
 SEON J. LEE  
 ANDREW J. LEEMAN  
 JUSTIN P. LEFOR  
 JOHN D. LEISINGER  
 ROBERT E. LELITO  
 CHRISTOPHER C. LEONARD  
 RAMON N. LEONGUERRERO  
 PAUL W. LEW, JR.  
 FREDDIE R. LEWIS  
 CHRISTOPHER A. LIEBES  
 DANIEL T. LIEBETREU  
 PATRICK W. LIETO  
 WILLIAM S. LINDBERG  
 NATHAN R. LINSE  
 KYLE E. LITCHFIELD  
 BRENTON L. LITFIN  
 SAVANNAH J. LIVINGSTON  
 CURTIS J. LOFTIN  
 ZACHARY Y. LONG  
 JUSTIN J. LOPEZ  
 NATHAN D. LUBBA, JR.  
 TERRENCE LUCAS  
 MATTHEW J. LUDEMANN  
 ANDREW R. LUDLOW  
 EDGAR Y. LUNAOGANDO  
 ADAM K. LUTZ  
 KAMAN T. LYKINS  
 CHRISTOPHER R. LYNCH  
 RILEY W. LYNCH  
 DAVID G. MACASPAC  
 ALANA L. MACK  
 EVAN K. MAIR  
 AARON W. MALCOLM  
 NATALIE A. MALLUE  
 KEVIN S. MALMQUIST  
 CHARLES W. MANGUM  
 SARA H. MANION  
 RYAN N. R. MANNINA  
 FELIX A. MANYWEATHER  
 STEVEN A. MARRERO  
 BRIAN C. MARTIN  
 EMILY K. MARTIN  
 TYLER S. MARTIN  
 BLAS A. MARTINEZ  
 ERICK V. MARTINEZ  
 JOSE A. MARTINEZ  
 JOSEPH E. MARUT III  
 DAVID W. MASON  
 NICOLAS K. MASSIE  
 JONATHAN P. MATHIAS  
 ROBERT C. MATHIS  
 AHMAD N. MATTHEWS  
 LANCE J. MAURER  
 KYLE A. MAY  
 CHRISTOPHER D. MAZUREK  
 BRYAN P. MCALISTER  
 JUSTIN G. MCBRIDE  
 LON C. MCBRIDE  
 CODY S. MCBRIDE  
 AARON M. MCCANN  
 CALLEB J. MCCOLLUM  
 BRIAN K. MCCOWN  
 SEAN S. MCCUNE  
 GARTH T. MCDERMOTT  
 DEANDRE L. MCDONALD  
 MICHAEL P. MCEUNN  
 PATRICK S. MCGEE  
 PATRICK R. MCGRATH  
 KEVIN B. MCGREW  
 SHANNON M. MCKENNA  
 ELIJAH J. MCMAHAN  
 SCOTT G. MCMAHAN  
 RICHARD K. MCMAHAMON  
 CHRISTOPHER C. MCMASTER  
 SIDNEY H. MCMATH  
 LAWRENCE T. MCNAMARA  
 AUSTIN C. MCNAUL  
 ALONZO MCNEAL  
 MOHDHISHAM MDISA  
 SEAN C. MEBERG  
 DANIEL M. MEEGAN  
 SOLOMON E. METCALF  
 RICHARD V. METZGAR III  
 BENJAMIN A. MICHAEL  
 DANIEL R. MIDGETT  
 ZACHARY S. MIERVA  
 DAVID C. MILLIKAN  
 FREDERICK L. MIMS  
 JASON R. MINOR  
 LUCIEN S. MIRANNE  
 JOSHUA T. MITCHELL  
 SCOTT M. MODESITT  
 THOMAS W. MOENTMANN  
 STEVEN E. MOHR  
 THOMAS W. MOHR III  
 MICHAEL L. MOLCZYK  
 NICHOLAS G. MOLNAR  
 STEWART MONTESSANDOVAL  
 GRANT M. MONTGOMERY  
 LUKE J. MOODY  
 JEFFREY T. MORACCO  
 JAMES T. MORGAN  
 KYLE A. MORGAN

JORDAN R. MORRIS  
 THADDEUS D. MORRIS  
 TIMOTHY R. MORTON  
 DEMETRICK L. MOSELEY  
 ERIC V. MUIRHEAD  
 KEVIN W. MULLEN  
 KATHERINE M. MUNOZ  
 JOSE G. MURILLO  
 TAYLOR W. MURPHY  
 JOHN N. NAELGAS  
 RENNIE A. NEGRON  
 DAVID W. NELSON  
 STEPHEN L. NELSON  
 FORREST E. NEUMANN  
 TONY NGUYEN  
 JONATHAN P. NIBLOCK  
 JASON J. NICHOLS  
 ALEXANDER R. NICKLES  
 TRAVIS W. NICOLETTE  
 BENJAMIN W. NIEHOFF  
 BRENDAN T. NINTZEL  
 DEVIN S. NIU  
 BENJAMIN A. NOBLES  
 XAVIER A. NOEL  
 ERIC E. NORGDARD  
 DANIEL A. NORTON  
 VICTOR P. NUNCHUCK, JR.  
 TRISTAN W. OBLUCK  
 RODERIC M. OCONNOR  
 BRIANNA M. ODOM  
 CHRISTOPHER P. OFFOR, JR.  
 MICHAEL J. OGAN  
 SEAN P. OHALLORAN  
 THOMAS W. OLMSTEAD  
 EDWARD H. OLSON  
 TERIKAZU ONODA  
 MICHAEL E. OPBROEK  
 DARE C. ORAVITZ  
 DANIEL C. OTT  
 BRYAN S. PAINTER  
 MATTHEW J. PALANGE  
 RODOLFO P. PALMA  
 BRIAN A. PALMIOTTI  
 JONATHAN W. PANKAKE  
 JASON P. PANNELL  
 JEREMY D. PAQUIN  
 MICHAEL H. PARKER  
 WILLIAM R. PARTIN  
 MARK A. PASSMORE  
 DONALD B. PATE  
 TYSON D. PATRICK  
 CHRISTOPHER T. PAYNE  
 KYLE D. PAYNE  
 CHAD E. PEABODY  
 SETH G. PEARSON  
 ANDREW J. PEAVY  
 ROBERT H. PECHA  
 JONATHAN P. PECHON  
 ABBEY L. PEDERSEN  
 EDWARD PEGUERO  
 MARK P. PELAËZ  
 GINO L. PELLICANO  
 LAURIKA R. PENN  
 FELIPE J. PEREZ  
 JOSEPH L. PERKINS  
 THOMAS M. PERRY  
 SETH G. PETERS  
 ERIN J. PETERSON  
 LANCE E. PETERSON  
 THEODORE R. PETERSON  
 JAMES R. PFEIFFER  
 PERRY PHAM  
 ANITA R. PHILLIPS  
 FRANCIS G. PHILLIPS  
 JEREMY M. PHILLIPS  
 BRYAN D. PHILPOTT  
 MICHAEL A. PICCINI  
 DANIEL H. PICKERING  
 DANIEL J. PIECHOCKI  
 ANDREW C. PINGREY  
 BENJAMIN A. PINNER  
 RUDY PIROLOZZI  
 WILLIAM T. PITT  
 JOHN A. PLEASANTS  
 JOHN R. PLUMSTEAD  
 JASON L. POMEROY  
 KENNETH E. POPLAR  
 BENJAMIN J. PORATH  
 DANIEL N. PORRIS  
 DAVID R. PORTER  
 KHEMMER M. PORTER  
 BRADLEY A. PORTWOOD  
 ANDREW L. POWELL  
 JOHN P. POWELL  
 PETER M. PREISINGER  
 WILLIAM R. PRICE  
 DAVID A. PROVENCHER  
 CHRISTOPHER J. PURSEL  
 ROBERT E. PUSHARD  
 GARY T. QUACH  
 KEVIN J. QUIGLEY  
 DANIEL S. QUINLAN  
 DAVID R. RADKE  
 MATTHEW J. RADMAN  
 ALEXANDER J. RADOMSKY  
 LANCE C. RAE  
 DUSTIN D. RAMATOWSKI  
 REGINALD E. RAMSEY II  
 JEREMY R. RATHBUN  
 BRITTANY J. RAY  
 JARRETT B. REDMAN  
 CHRISTOPHER D. REED  
 WILLIAM J. REILLY  
 ERIK S. REKEDAL  
 ANDREW B. REYNOSO  
 MARK E. RICE  
 RONALD B. RICE  
 SHARIL K. RICHARDS  
 STEVEN M. RICHARDS

IAN B. RILEY  
 JESSICA K. RILEY  
 JAMIE M. RIOS  
 PATRICK G. RIPTON  
 BRIAN C. RISER  
 BENJAMIN R. RISHER  
 JACK T. ROACH  
 ROBERT C. ROBERTS  
 CHRISTOPHER K. ROBINSON  
 DREW A. ROBINSON  
 JEREMY M. ROBINSON  
 MICHAEL A. ROBINSON  
 WENDELL C. ROBINSON  
 JOSE R. ROCHAALVAREZ  
 EVAN E. RODERICK  
 JOSE E. RODRIGUEZ  
 SCOTT U. ROETT  
 MATTHEW J. ROGERS  
 SEAN A. ROLING  
 DEREK J. RONDEAU  
 GRACE E. RONE  
 CHRISTOPHER A. ROSE  
 TODD J. ROSSBACH  
 JOHN R. ROSSI  
 NATHAN F. ROUBICEK  
 JAMIA L. ROWLAND  
 ZACHARY S. ROZAR  
 ERIC M. RUFF  
 RONALD J. RUNYAN  
 NICHOLAS M. RUNYON  
 ALAMA F. RUSH  
 MICHAEL RUSSO  
 KYLE J. RUTLEDGE  
 WILLIAM R. RYAN  
 JOSEPH A. SAGLIMBENI II  
 CHRISTOPHER M. SALISBURY  
 BENJAMIN L. SALVITO  
 THOMAS SANCHEZ, JR.  
 GREGORY M. SANDERS  
 GRANCIS SANTANA  
 MATTHEW C. SARDO  
 ROBERT SARVIS  
 DAVID A. SAXTON  
 MATTHEW R. SCHLESINGER  
 THOMAS S. SCHLESINGER  
 BENJAMIN J. SCHMIDT  
 SCOTT J. SCHULTZ  
 ZACHARY J. SCHULTZ  
 MICHAEL S. SCHUMACHER  
 MARY K. O. SCHUSTER  
 BRANDON C. SCHWARTZ  
 PAUL F. SCIFERS  
 RYAN O. SCOTT  
 NOAH L. SCRIBNER  
 DANIEL J. SELF  
 DOMINIC A. SENTENO  
 DAVID J. SERVIDEO  
 STEPHEN T. SEXTON  
 DAVID M. SHANAHAN  
 GREGORY S. SHANEMAN  
 ANDREW T. SHATTUCK  
 JUSTIN K. SHAW  
 TIMOTHY S. SHEPHERD, JR.  
 WILLIAM E. SHERR  
 BENJAMIN T. SHOWMAN  
 ANDREW B. SHRIBER  
 KEVIN C. SHUFFSTALL  
 SCOTT R. SHUTTS  
 MICHAEL S. SIDMAN  
 ROBERT J. SIMMONS  
 WILLIAM C. SIMPSON  
 WHITNEY E. SIMS  
 ALEXANDER M. SINCLAIR  
 ANDREW D. SIVANICH  
 TAYLOR W. SIVLEY  
 KARL T. SKIDMORE  
 JASON A. SLONE  
 RYAN M. SMEDILE  
 JORDON M. SMILEY  
 BRANDON C. SMITH  
 BRANDON J. SMITH  
 CHRISTOPHER B. SMITH  
 TIMOTHY W. SMITH  
 MICHAEL J. SMOLUCHA  
 NEIL D. SMYTHE  
 DOUGLAS E. SNELLING  
 JOE SNIPE  
 MATTHEW A. SNYDER  
 RICHARD G. SNYDER  
 PHILIP Y. SOHN  
 NICOLAS F. SORIA  
 STEPHEN C. SORRELLS  
 JESUS D. SOTOMELENDEZ  
 THOMAS L. SPENCE  
 HERBERT M. SPERBER  
 GERARD T. SPINNEY  
 KENNETH J. SPOON  
 CHRISTOPHER C. SPROUL  
 MAUREEN STAGNEY  
 KATHERINE A. STAMPFLE  
 JOHN STANCZAK  
 MATTHEW J. STAPAY  
 NICHOLAS J. STAVE  
 REX C. STEELE  
 DAVID J. STEWART  
 DEREK A. STEWART  
 JERED L. STOKES  
 THEODORE D. STOUCH  
 ROBERT A. STOVALL  
 DANIEL L. STRASSER  
 NICHOLAS E. STRONCZEK  
 RUSSELL E. STUART  
 CHRISTOPHER SUAREZ  
 TRON S. SUGAI  
 THOMAS E. SULIK  
 CHRISTOPHER P. SULLIVAN  
 MICHAEL W. SULLIVAN, JR.  
 SCOTT M. SYLVESTER  
 MATTHEW C. SZARZYNSKI

TRAVIS W. TARBOX  
 NATHAN J. TARTER  
 JOHN R. TATE  
 AARON A. TAYLOR  
 ANGELO Q. TAYLOR  
 NICHOLAS J. TERRIN  
 THOMAS J. TERRY  
 KYLE W. TERZA  
 STEVEN F. THOMAS  
 PETER D. THOMPSON  
 WILLIAM D. THOMSON  
 HUNTER M. THORNAL  
 KYLE M. THURMAN  
 KIRILL S. TIKHONENKOV  
 MICHAEL E. TIKKANEN  
 PAUL D. TILLMAN  
 MICHAEL T. TIMCHO  
 MARSHALL R. TITCH  
 CHAD T. TOBIN  
 RYAN V. TODD  
 PETER B. TODSEN III  
 PATRICK A. TOFFLER  
 MICHAEL D. TOLLISON  
 ERIK J. TOMSEN  
 JUAN TORRES, JR.  
 ERIC S. TOWLE  
 RYAN T. TOWNSEND  
 CRAIG M. TRYZBLAK  
 JOHNDAVID D. TYDINGCO  
 IKE M. UKACHI  
 JESSE M. UNDERWOOD  
 ANTONIO L. URESTE  
 KRIS R. URQUHART  
 ROBERT A. VADNEY  
 STEPHEN VADOVSKY  
 WIE R. C. VAN  
 MATTHEW T. VANARSDALE  
 PHILLIP W. VANDERCOOK  
 JOSHUA R. VANDERLIP  
 JODY R. VANMETER, JR.  
 ROBERT W. VANWEY  
 TREY S. VANWYHE  
 ALEJANDRO L. VARGAS  
 MORRIZ F. VELAZQUEZ  
 JACOB S. VELDHOUSE  
 SAMUEL R. VELEZ  
 JORDAN D. VELIE  
 ERIC T. VENDITTI  
 DONALD O. VERPOORTEN  
 LUIS C. VILLA  
 DANIELLE L. VILLANUEVA  
 JON M. VOSS  
 GREGORY K. WALKER  
 KAYLEIGH E. WALLACE  
 MARK D. WALLACE  
 WESTON T. WALROND  
 BRIAN K. WALSH  
 LOREN M. WAMPLER  
 JAMES T. WARD  
 JED W. WARNOCK  
 JONATHAN M. WATSON  
 SHANNON J. WAX  
 THOMAS R. WEADON II  
 THOMAS J. WEBB  
 WILLIAM B. WEBSTER  
 SPENSER C. WEDDINGTON  
 MICHAEL F. WEIDEL  
 JOSHUA P. WEIDNER  
 JAMES W. WEIR  
 JOSHUA J. WELTE  
 ADAM F. WERNER  
 MATTHEW A. WESTCOTT  
 PAUL S. WHALEY II  
 KENNETH T. WHEELER  
 MATTHEW T. WHEELER  
 ROBERT O. WHITBY  
 MATTHEW S. WHITE  
 ROSS T. WHITE  
 TREVOR C. WHITE  
 TYLER R. WHITE  
 VERNON J. WHITE  
 JAMES R. WHITNEY  
 ZACHARY T. WILLEY  
 ADAM K. WILLIAMS  
 CHAD E. WILLIAMS  
 DOUGLAS H. WILLIAMS  
 SHANNON V. WILSON  
 TIMOTHY K. WILSON  
 MARSHALL W. WISH  
 JACOB J. WISHKO  
 KYLE J. WOLFLEY  
 ERIC J. WONG  
 DONALD A. WOOTEN II  
 DANIEL WORKMASTER  
 LI XU  
 RYAN K. YAMAUCHI  
 CHRISTOPHER T. YANKOW  
 SARAH A. YATES  
 SCOTT W. YINGLING  
 DAVID W. ZAK  
 PATRICK M. ZANG  
 KIONA L. ZAPPE  
 NICKOLAS M. ZAPPONE  
 REED M. ZIEGLER  
 JULIANNE C. ZIKE  
 JIMMIE L. ZILLINER  
 COURTNEY A. ZIMMERMAN  
 MARK G. ZWIRGZDAS  
 D014270  
 D014758  
 D014794  
 G010477

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT  
 TO THE GRADE INDICATED IN THE UNITED STATES ARMY  
 UNDER TITLE 10, U.S.C., SECTION 624:

*To be major*

BENJAMIN T. ABEL  
 ANTHONY ABEYTA  
 JENNIFER G. ACOJEDO  
 CHRISTOPHER S. ALEXANDER  
 YELENA P. ALEXANDER  
 CHRISTOPHER M. ANDERSON  
 DAVID C. ANDERSON  
 ROBERT J. ANDERSON  
 ANGEL M. APONTE  
 ANDREW A. ARIAS  
 CAMERON R. ARNDT  
 JOEL M. ASKINS  
 AZIZ ATAKUZI  
 GARY A. AUSTIN  
 FRANCIS J. AXLINE  
 JONATHAN D. AZBILL  
 KEVIN BADGER  
 NICHOLAS F. BARBER  
 TRAVIS R. BARKER  
 EMERY C. BAUGHAN  
 BRETT A. BEAVERS  
 ELANA A. BELL  
 DENISE BERNARD  
 LISA H. BEUM  
 SEAN M. BIRMINGHAM  
 DAVID R. BLACK  
 RANDALL B. BLADES  
 JOSHUA M. BLANC  
 RAYMOND G. BLOCKMON  
 JACOB L. BOESEN  
 BENJAMIN P. BOETTCHER  
 MARK R. BONAUDI  
 JULIO R. BONFE  
 FRANCISCO J. BONILLA  
 MATTHEW T. BOREL  
 ANDREW R. BOYD  
 MICHAEL A. BRADY  
 KENNETH BRANDT  
 DRAKE E. BREWSTER  
 MICHAEL M. BROOKS  
 BLAKE A. BUGAJ  
 BRIAN R. BUHLER  
 ANDREW M. BUNCE  
 MARK S. BURACZESKI  
 SHAWN M. BURKE  
 RYAN M. BURKHOLDER  
 GEORGE H. CALHOUN  
 ROBERT A. CALKINS  
 ANDREW M. CAMMACK  
 CLINTON B. CAMPBELL  
 JOSHUA J. CAMPBELL  
 GREGORY P. CAMPISI  
 CARLOS A. CANALESRAMIREZ  
 BYRON W. CARLSON  
 TYRRE D. CARROLL  
 CHRISTOPHER D. CARTIER  
 ANNAMARIE F. CASIMES  
 JUSTIN H. CASTRO  
 ADAN A. CAZAREZ  
 RYAN R. CHANEY  
 RYAN G. CHANKO  
 JEANETTE CHAVEZ  
 ALEXANDER J. CHERNUSHIN  
 JUNG U. CHO  
 KYUN Y. CHOI  
 WILLIAM CHOI  
 SETH P. CHURCH  
 MORGAN P. CINA  
 SEAN A. CLEMENT  
 LEONARDO E. CLEVERSLEY  
 MACKENZIE A. COHE  
 RONNIE L. COLLINS  
 SARAH C. COMPTON  
 KRISTOPHER L. CONKLIN  
 TRAVIS C. CONNELL  
 CHRISTOPHER R. CONNER  
 KEVIN A. CONNERS  
 MICHAEL R. CONNORS  
 JESSICA L. COOK  
 CHRISTOPHER J. COOPER  
 KEL C. COOPER  
 JESSIE A. CORTEZ  
 NICHOLAS J. COSMAS  
 TODD E. CRAMER  
 RENATA M. CRAPPS  
 LOUIS CRIST  
 JAMES S. CROTTY  
 DAVID P. CROW  
 DOUGLAS E. CRUTCHLEY, JR.  
 LEONARD CRUZ  
 GUSTER CUNNINGHAM III  
 DANIEL J. CURTIS  
 CLYDE J. DAINES  
 JONATHAN A. DANIELL  
 SCOTT M. DANIELS  
 KOJO O. F. DARTEY  
 BRIAN P. DAVIS  
 GREGORY L. DAVIS  
 PATRICK W. DAVIS  
 PAUL J. DEEHAN  
 TAMARA J. DEJESUS  
 MATTHEW D. DELAGUARDIA  
 TRAVIS M. DESOUSA  
 AARON L. DEVIGO  
 IBRAHIMA DIALLO  
 ALEXANDER C. DIAZMARTINEZ  
 STEPHEN C. DILORENZO  
 GERYAH A. DINGLE  
 BRANDON D. DOGETTE  
 CORY M. DOMBROWSKI  
 JOAN C. DORREJOGONZALEZ  
 SCOTT DOTSON  
 CLIFTON O. DOUGLAS IV  
 STEVEN T. DOWNEY  
 MAXINE A. DRAKE

NATHANIEL M. DRAKE  
 ANTHONY M. DRELLA  
 CHRISTOPHER M. DRESCHER  
 RYAN S. DUDLEY  
 ANDREW P. DUKE  
 CLAYTON K. DURDEN, JR.  
 PAULINE C. EDWARDS  
 JOHN P. ELCO  
 MICHAEL P. ELLIS  
 ERIC A. ENGSTROM  
 ERIK ESTRADA  
 SITIA M. FALEAFINE  
 JOSEPH D. FASONE  
 JOSEPH E. FEIFER  
 RODNEY A. FERGUSON  
 SARAH A. FERREIRA  
 JAY B. FISHER  
 JOSEPH FORNASIER  
 WILLIAM L. FOULKS  
 PATRICK H. FRANKS  
 JEROD M. FRANZ  
 SEAN T. FRASER  
 BLANCA G. FRAZIER  
 SPENCER L. FRENCH  
 JOSHUA D. FREY  
 TREONE M. FRINK  
 CHRISTOPHER P. FROELICH  
 GLENDON C. FRYE, JR.  
 AVERY FULP  
 TOMMY R. GALLOWAY  
 ALISHA M. GARCIA  
 AIANA J. F. GARIN  
 LANCE M. GARNETT  
 JACOB T. GARRETT  
 SPENCER G. GARRISON  
 ABRAHAM GATES, JR.  
 LAURENCE W. GAUTHIER III  
 SHELLYANN S. GAYLEJACKSON  
 LUCAS C. GEBHART  
 CHRISTIAN P. GEHRELS  
 GRACE M. GEIGER  
 JOSHUA H. GEIGER  
 RYAN C. GENARD  
 ROBERT B. GILBREATH  
 SAMUEL E. GILTNER  
 ANDREW J. GLUBZINSKI  
 BRANDON J. GOOCH  
 JOHN C. GOODWILL  
 RUSSELL M. GORDON  
 SHARRIE L. GORDON  
 SARAH E. GOUDREAU  
 DERRICK V. GOUGH  
 BRIAN T. GRAHAM  
 ROBERT L. GRAMER, JR.  
 JASON P. GRAMS  
 CHRISTOPHER W. GRAUEL  
 ROBERT F. GREENE  
 WILLIAM A. GRIFFITH, JR.  
 ADAM C. GRINES  
 KYLE D. GROGAN  
 JOSIE D. GUILLENPEDROZO  
 SHAWN GUTIERREZ  
 JEFFREY M. HACKMAN  
 JOSHUA R. HAINES  
 TINA M. HAIRSTON  
 JASON M. HALL  
 ROBERT D. HALSTEAD  
 JEREMIE J. HANNAH  
 JASON E. HANSON  
 MARGARET C. HARRIS  
 MICHAEL A. HARRIS  
 TERRINA A. HARRISON  
 BRANDON M. HARTMANN  
 JOSHUA A. HASSELTINE  
 KELSEY N. HASSIN  
 JEFFREY W. HATCH  
 MICHAEL J. HEIM  
 FELICIA D. HEISLER  
 DENNIS K. HELMS  
 WARREN C. HENDERSON  
 CHAUNCEY D. HENRY  
 MICHAEL J. HERBST  
 ANDREW P. HERENDEEN  
 NICOLE C. HERNDON  
 ADAM D. HESS  
 SCOTT C. HETZEL  
 LAURENCE C. HINES  
 CARL E. HODGSON  
 ALEXANDER S. HOFFMAN  
 MICHAEL D. HOGANS  
 LUCAS M. HOLMBECK  
 ROBERT W. HONTZ  
 CHERYL D. HOOKER  
 IRA C. HOUC  
 SARAH J. HOUP  
 MEGHAN N. HOUSEL  
 JAMES G. HOWARD  
 JOELANDON M. HOWARD  
 DAVID K. HUFFMAN  
 BENJAMIN A. HUNTER  
 BERNARD C. HUNTER  
 KURT G. HUXEL  
 JOSHUA A. HYATT  
 BENJAMIN M. IHNAT  
 SARA M. IRWIN  
 JASON W. ISRIGG  
 DANNY JARAMILLO  
 DANIEL C. JOHNSON  
 JAMES D. JOHNSON  
 MATTHEW S. JOHNSON  
 PATRICK D. JONES  
 YOUNG H. JOO  
 MATTHEW M. KALIN  
 NIKESH D. KAPADIA  
 STEPHEN J. KARR  
 BENJAMIN A. KEDO

COREY R. KEIFFER  
 CHRISTIAN R. KELLER  
 PAUL R. KELLMURRAY  
 BRIAN J. KEMPER  
 DERECK N. KENNEDY  
 RILEY F. KENNEDY  
 EVAN M. KERRANE  
 LEILA KETTERLINUS  
 SEUNGKYU KIM  
 SUHAN KIM  
 ANDREW T. KINNEY  
 JESSICA P. KLEIN  
 ZACHARY W. KLEIN  
 SAMANTHA E. KNAPMAN  
 DAMON N. KNAUSS  
 JUSTIN A. KNOX  
 NICHOLAS J. KNUDTSON  
 KADEN C. KOBA  
 MATTHEW J. KRIVENSKY  
 ISAAC J. KUNZE  
 KWEKU A. KWARTENG  
 VERONICA L. KYLE  
 KAI L. LABAC  
 JOSEPH A. LAMIA  
 MATTHEW C. LANDON  
 JORDAN T. LANDRY  
 BRIAN S. LASKEY  
 SHEA J. LEAP  
 WILLIAM L. LEASURE  
 BOMBE LEE  
 BRANDON S. LEE  
 JULIUS N. LEE  
 YOUNG H. LEE  
 KATHLEEN M. LEFORTE  
 LORIS F. LEPRI  
 NATHAN B. LEQUIRE  
 CHARLES R. LEWANDOWSKI  
 JHORDN G. LEWIS  
 JERAD M. LINDER  
 STEVEN S. LIZAMA  
 LUIS E. LLARY  
 PILLCO W. LLIVICHUZHCA  
 LIBERTY F. LOBDELL  
 PAUL A. LOOMIS  
 MAYRA E. LOPEZNANEZ  
 JASON C. LOVALLO  
 SERGIO A. LOYNAZ III  
 JASMINE L. LOZANO  
 CHRISTOPHER M. LUCK  
 LAURENT LUNDY  
 CHRISTOPHER C. MACE  
 ISAAC A. MACMULLEN  
 MILTON E. MADDOX  
 WILLIAM T. MAHAH  
 THOMAS R. MAHONEY  
 KENNETH L. MANDAKUNIS  
 DANIEL J. MANOR  
 CHRISTOPHER A. MANSELL  
 SHELDON D. MARCELLINE  
 ANTHONY G. MARKELLO  
 HOWARD K. MARKEL  
 AJATA K. MARTIN  
 BENJAMIN W. MARTIN  
 CODY J. MARTIN  
 KYLE V. MARTIN  
 ALEXANDER L. MARTINEZ  
 MICHAEL J. MARTINEZ  
 MATTHEW M. MASSON  
 CRAIG A. MAYBER  
 CHRISTOPHER A. MAYS  
 JAMES M. MCCABE  
 BRANDON H. J. MCCALLA  
 CARLYLE O. MCCALLA  
 JOSEPH M. MCCANDLESS  
 MICHAEL J. MCCASLAND  
 JENNIFER R. MCCLEARY  
 MICHAEL D. MCCONKEY  
 ROBERT D. MCCORMICK  
 ANNMARIE S. MCCREIGHT  
 DAVID N. MCCREERY IV  
 LOGAN F. MCELROY  
 JASON L. MCELROY  
 ANDREW J. MCKEE  
 ZACHARY S. MCCLAIN  
 MATTHEW P. MCLEAN  
 AARON A. MCMURRAY  
 JUSTINE M. MEIER  
 WILLIAM M. MEIER  
 VANESA M. MEIERFERNANDEZ  
 NATASHA MERCADO  
 SALVATORE E. MESSINA  
 ANDREW R. MEYER  
 MICHAEL J. MILLER  
 DAVID E. MINGHELLA  
 EVAN MIZE  
 LUKAS R. MOORE  
 JACOB L. MORMON  
 DEMETRIUS K. MORRIS  
 JARROD J. MORRIS  
 RICHARD L. MORRIS  
 DEREK B. MUELLER  
 JASON A. MULL  
 CARLOS F. MUNOZAGUIRRE  
 RACHEAL W. MWANGI  
 JACOB E. MYERS  
 DANIEL NA  
 JOHN D. NALETIELICH  
 SARAH E. NALETIELICH  
 JAMES L. NAPPER  
 MENDOLA A. NASHWALLACE  
 JAIME E. NAVARRO  
 MARION J. NEDERHOF  
 PEDRO J. NEGRONBETANCOURT  
 KATTIE L. NEUJAHN  
 CHRISTINE M. NEUMAN  
 TRAVIS A. NEWTON  
 STEPHEN C. NICHOLS

DARRICK M. NOAH  
 MINAH NUZUM  
 BABAJIDE ODEJOKEMAXWELL  
 JASON J. ODELL  
 OLA O. ODUNAIKECHERRY  
 KYONG L. OH  
 ASHLEY R. OLDS  
 ANDREW J. ONEILL  
 CHRISTIAN G. ORELLANA  
 AARON M. OVERSTAKE  
 JAMES E. PALIDAR  
 BRADLEY J. PALMERLOURENCO  
 JAMES T. PANTELAKIS  
 DANIELLE R. PAPPAS  
 ALEX C. PARKER  
 BONITA M. P. PARKER  
 KYLE W. PARKER  
 BRIAN P. PATTERSON  
 ABE L. PAYNE  
 RICHARD M. PAZDZIERSKI  
 JENNIFER M. PEACE  
 FRANKLIN G. PEACHEY  
 DANIEL PEARSON  
 EVAN M. PECK  
 JANE A. PETRICK  
 DIANA PETRIS  
 RICHARD W. PFROGNER  
 DANIEL J. PHILLIPS  
 LOGAN J. PHILLIPS  
 MICHAEL C. PHILLIPS  
 ROBERT J. PHILLIPS  
 BRYON J. PIEPER  
 BEVERLY A. PIMIENTA  
 TERRANCE T. PITTS  
 MICHAEL A. POOLE  
 TRAVIS A. PRATT  
 ANDREW J. PULASKI  
 CHRISTIAN A. RAMOS  
 DARREN M. RAWLINGS  
 TRACY C. READE  
 KENNETH B. REDD II  
 JOSHUA A. REDDEN  
 LATISHA R. REEDER  
 CHRISTOPHER D. REGO  
 JONATHAN L. REID  
 ERIC D. RICHARDS  
 COREY C. RIDDICK  
 SARA A. RIESEL  
 MARIO O. RIVAS  
 EVARISTO RIVERA  
 CATHERINE J. RIVERS  
 ARTURO RODRIGUEZ  
 ISAAC D. RODRIGUEZ  
 VIRGINA M. RODRIGUEZ  
 LINDSAY D. ROMAN  
 HUGO I. ROMERO  
 JEREMIE M. ROWAN  
 ANDREW E. ROWLAND  
 GORDON D. RUTLEDGE  
 JACK B. SADLER  
 BRANDON P. SALMERI  
 KELLAN S. SAMS  
 WILLIAM B. SAMUEL  
 CHRISTOPHER J. SANDOVAL  
 PATRICK A. SANDOVAL  
 ALEXANDER J. SAUL  
 ZACHARY B. SCHAEFFER  
 TYLER SCHAUER  
 EMMA A. SCHILLER  
 MATTHEW A. SCHLEUPNER  
 JOHN A. SCHLICHT  
 ELIZABETH K. SCHLOEMANN  
 MATTHEW A. SCHMIEDICKE  
 JEFFREY W. SCHRIMP  
 LEE E. SCHROEDER  
 KYLE D. SCOTT  
 TOBIAS I. SCOTT  
 CARLOS J. SEMIDEY  
 JAMES R. SESSIONS III  
 ANTHONY D. SEYERSON  
 DOUGLAS A. SHARP  
 CALEB J. SHEFFIELD  
 JABAKA D. SHERROD  
 TIMBERLY H. SHUMAKER  
 MARCELLUS SIMMONS  
 PAUL D. SIMNOK  
 MATTHEW S. SINDA  
 KENNETH A. SLEZAK  
 ELLIOTT J. SMALLWOOD  
 DANIEL W. SMITH  
 MATTHEW A. SMITH  
 MICHAEL A. SMITH  
 LINDSEY M. SNYDER  
 PETER J. SOLANA, JR.  
 KYLE P. SOLZER  
 WESLEY G. SOLWAY  
 BENJAMIN M. STAATS  
 WOJCIECH W. STACHURA  
 THOMAS B. STAUFFER  
 MICAH J. STEDMAN  
 RYAN A. STEUK  
 JOHN C. STEWART  
 SEAN C. STOREY  
 GARRY STRATIEV  
 BOONE A. SUPINGER  
 BRYAN D. SWIFT  
 SCOTT S. TANAKA  
 JEROME TATUM  
 KENNETH D. TAYLOR  
 STERLING E. TAYLOR  
 JASON W. THOMAS  
 KASSIE D. THOMPSON  
 ROXANA M. THOMPSON  
 STEVEN J. THOMPSON  
 ANDREW B. THORNSLEY  
 RYAN G. TINTERA  
 BRIAN W. TOBIAS  
 STEPHAN P. TOBIN  
 LILLIANA TOLLIVER  
 JOHN F. TOMASELLI  
 KYRYLO TOROPCHYN  
 PAUL A. TORREZ  
 CARLOS M. TOSCANO  
 ROBERT W. TOWNSEND, JR.  
 TYRONE N. TRAPNELL

AARON J. TRIMBLE  
 NEAL J. TRUMP  
 BERNARD N. N. TUMANJONG  
 GREGORY A. UNDERWOOD  
 ANDREW B. UONG  
 JASON M. UPOLE  
 MATTHEW J. URBAN  
 MIGUEL A. URBINACHAVEZ  
 DARINEL D. URENAPABIAN  
 JOSE M. VALENCIA  
 REBEKAH E. VAUGHAN  
 KEVIN J. VEGA  
 JAMIE R. VENNEMAN  
 STEVEN A. VILLALVA  
 GREGORY P. WALSH  
 ROBERT E. WALSH  
 JEREMY L. WARNKEN  
 JAMES A. WATSON  
 BRIAN D. WEAVER  
 KEVIN P. WEAVER  
 BILLIE C. WEBB  
 DEXTER W. WEBB  
 SCOTT A. WEBB  
 JORDAN K. WEBER  
 COLLIN M. WEEKS  
 KERRI L. WEISS  
 JASON G. WELCH  
 CHRISTOPHER E. WELLER  
 BRADLEY WELLSANDT  
 WILLIAM J. WHELAN  
 ERIC A. WHIPPLE  
 ROBERT C. WHITE  
 BRENT C. WHITEHEAD  
 JEFFERY W. WHITTINGTON  
 CARL R. WIGINGTON  
 BENJAMIN WILLIAMS, JR.  
 DATHAN L. WILLIAMS  
 JAMES WILLIAMS III  
 MICHAEL S. WILSON  
 SCOTT W. WILSON  
 LARRY B. WITKOVSKI  
 MARK T. WITTE  
 KENNETH E. WOLFLE  
 JENNIFER M. WONG  
 MARIOPHILIP A. WONG  
 CLAY D. WOODY  
 CANNIDICE C. WOOTEN  
 DENDRE WRIGHT  
 KIRK T. WRIGHT, JR.  
 TRAVIS D. WRIGHT  
 JASON WU  
 JIANG WU  
 STEPHEN J. YAFFE  
 TOMCEA S. YANCEY  
 STACEY M. YARBOROUGH  
 PIPER M. YETMAN  
 FON P. E. ZAMCHO  
 DANIEL P. ZUNIGA  
 D012709  
 D013345  
 D013475  
 D013484  
 D013549  
 D013690  
 D013694  
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 D014427  
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 G010461  
 G010470  
 G010495  
 G010518  
 G010537  
 G010540  
 G010541  
 G010542  
 G010598

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT  
 TO THE GRADE INDICATED IN THE UNITED STATES ARMY  
 UNDER TITLE 10, U.S.C., SECTION 624:

*To be major*

KWANSAH E. ACKAH  
 KRISTEN N. ADAMS  
 WILLIAM H. ADAMS  
 GBENGA S. ADIGUN  
 JAMES J. AGIUS  
 ERIC R. AHLE  
 TODD M. AKROYD  
 LLOYD M. ALAIMALO  
 ELIZABETH H. ALBERTSON  
 JESSE J. ALCOCK  
 PATRIC M. ALEXANDER  
 BRANDON W. ALFORD  
 THEODORE C. ALLEN  
 VICTORIA A. ALLEN  
 FRIDAY E. AMEH  
 PHILLIP J. ANKLIN  
 ANDREA J. ASENDIO  
 DEREK D. ATWATERS, SR.  
 RONALD L. BAILEY, JR.  
 TRENT J. BAILEY  
 JENNIFER L. BAKER  
 MONICA M. BAKER  
 YESIR A. BALLEENARIZA  
 BRIAN A. BANFIELD  
 KEVIN M. BARNES  
 CLIFTON C. BARNETT  
 KELLY L. BARTON  
 DEQUINCY K. BASS  
 JORDAN L. BASS  
 RENARDO L. BASTIAN  
 RAYMOND A. BEARD  
 AVRAHAM BEHAR  
 CONRAD L. BELLARD II  
 RYAN C. BELLMANN  
 CARLA L. BENDER  
 EDER G. BENNETT  
 JOSEPH C. BENNETT

HEATH A. BERGMANN  
 JOSEPH L. BEST, SR.  
 MATTHEW D. BINKINZ  
 MICHAEL J. BINNS  
 DAVID J. BJORK  
 TODD V. BLACKBURN  
 IAN M. BLOOMSBURG  
 LATRICE BOATNER  
 SHERRY T. BOBBETT  
 NORIELYS BONILLA  
 JAMES M. BONIN  
 STEPHEN J. BONNER  
 MYREON D. BOOKER  
 STEPHEN A. BOUGHTON  
 JOSEPH M. BOURDA  
 EFFENS Y. BOWDEN  
 SIRRON D. BOWMAN  
 MICHAEL H. BRESETTTE  
 TINA D. BREVARD  
 MATTHEW A. BROOKS  
 MITCHELL K. BROOKS  
 FREDERICK BROWN  
 KELLY E. BROWN  
 MICHAEL A. BROWN  
 VICKIE L. BROWN  
 ALEXANDER C. BRUBAKER  
 NATALIA P. BRYANT  
 AUSTIN L. BUCHANS  
 THOMAS L. BURBANK  
 STANLEY R. BURDINE, JR.  
 ANTHONY A. BURRELL  
 SAMUEL CAMPBELL  
 SHEILOH S. A. CARLOS  
 GEOFFREY A. CARMICHAEL  
 LANDON P. CASSELLS  
 HAROLD CASTANEDA  
 TODD C. CASTLES  
 CEDRIC A. CATO  
 KATRINA P. CEZAR  
 NEIDAS M. CEZAR  
 CHRISTINE S. CHANG  
 DANIEL B. CHELSEA  
 SHERRY A. CHILDS  
 JOSHUA S. CHOATE  
 THERESA D. CHRISTIE  
 STEPHANIE L. CIABOTTI  
 CHRISTOPHER L. CIMAN  
 JESSIE CLASS  
 JASON B. CLOWE  
 JUDE G. COE  
 PATRICK R. COFFEE  
 JIMMYVAN COGLES GUERRERO  
 CASEY R. COLBETH  
 BRENDAN T. COLLINS  
 EZRA M. COLLINS  
 JERED A. COLLINS  
 LILIENT B. COLLINS  
 TOMMY E. COLLINS  
 DEANNA M. COMSTOCK  
 LATONYA K. CONKLETON  
 SHIRLEY J. COOLEY  
 HOLGER A. CORREA  
 CONNIE R. COX  
 ELOISA A. COX  
 JOHN S. CRAWFORD  
 JOY L. CRENSHAW  
 NICHOLAS P. CRINER  
 STANLEY A. CROCKETT  
 KELSIE M. CUMMINS  
 SCOTT A. CURTICE  
 BENJAMIN E. DANIEL  
 LORI D. DANIELS  
 ANGEL F. DAVILA  
 DON R. DAVIS  
 INISHA T. DAWKINS  
 KURT D. DAY II  
 JESSE M. DEBOEST  
 ANDREW P. DEEL  
 MICHAEL R. DEEM  
 BRYAN M. DEMPSEY  
 SCOTT N. DEMPSEY  
 LLOYD DERRICOATTE II  
 DEVON C. DIAZ  
 RAMSES DIAZ  
 KAREE N. DIXON THOMPSON  
 RAVEN S. DONELSON  
 SAMANTHA E. DOUGLAS  
 GREG M. DOYEN  
 CAROL E. DOYLE  
 DEVEN DRAKE  
 BETHANY G. DUMAS  
 DUANE D. DUMLAO  
 BRANDON P. DUNCAN  
 NICHOLAS P. DUNN  
 TIMOTHY M. DWYER  
 ARRON M. EDMONDS  
 DEDRICK W. EDWARDS  
 JACOB ELDERS  
 MOHAMED M. ELZEIN  
 TRAVIS D. EMBRYMARTIN  
 AMBER L. ENGLISH  
 DAVID M. ENNIS  
 CHRISTOPHER J. ENYART  
 PETER F. ERICKSON  
 JEFFREY T. FELL  
 BOBBY J. FILIPUNAS  
 JOHN R. FORRISTER, JR.  
 THERESA M. FOSTER  
 AUSTIN L. FRANKLIN  
 DANIEL R. FRANTZ  
 AARON K. FRAZIER  
 BRANDON C. FRAZIER  
 HEATHER R. FRAZIER  
 IVAN FUENTES  
 COURTNEY L. FULLER  
 JOSEPH S. FUOCO  
 STEPHEN M. GAGIN  
 LUIS A. GAITANTOVAR  
 RICHARD A. GARCIA  
 SHAWN L. GARCIA  
 EULOGIO GARCIA FLORES  
 HECTOR W. GARCIA RODRIGUEZ  
 CANDACE N. GARLAND  
 JONATHAN K. GARMAN  
 QIONG GARNER

TONYA L. GARRETT  
STEFANIE M. GASKILL  
GRETCHEN D. GASKINS  
GAREY L. GATES  
JOHANNES J. GEIST  
JENNIFER L. GENSLINGER  
ROY GEORGE  
CURTIS A. GIBBS  
DEREK S. GIBSON  
SCOTT A. GILBERT  
CRISTINA C. GOMEZ  
KRISTIN R. GONZALEZ  
JERMAINE D. GOODMAN  
JASON W. GOODSON  
SHASHESHE L. GOOLSBY  
BRIAN M. GRACE  
MICHAEL L. GRADDY, JR.  
ARTHUR D. GRAY  
NICHOLAS R. GRECO  
SHERRI A. GREGOIRE  
COREY J. GRIFFIN  
JEREMY D. GRIFFIN  
MICHAEL R. GRIFFIN  
MAGATTE GUEYE  
DERRICK C. GUILLORY  
DEREK R. GUNTER  
JEAN J. GWON  
JUSTIN D. HACKETT  
JAROD M. HAHN  
BRIAN J. HALEY  
DAVID M. HALL  
MARKEL HALL  
TANISHA C. HANSON  
ROCKY A. HARKLESS, JR.  
JOSEPH N. HARMON  
KEVIN A. HARRIS  
LASHERDO M. HARRIS  
SHALLUM I. HARRIS  
JOY L. HARRY  
JON W. HATCHER  
JAMES M. HAWTHORNE  
ROBERT E. HAYNES  
ANTHONY S. HEBERLEIN  
THOMAS E. HEIDORN  
ALANDA D. HENDERSON  
GREGORY S. HENDERSON  
MICHAEL A. HERMES  
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SARAH M. HERNANDEZ  
LONNIE T. HILL  
ANDREW S. HINES  
CODY A. HOLDER  
AARON B. HOLKER  
DARIAS D. HOLLOWAY  
MONICA M. HOLMES  
SUNG Y. HONG  
ZACHARY B. HORNE  
DAVID W. HORTON III  
TY P. HORTON  
LAURA C. HOUCK  
JACOB E. HOUSE  
APRIL M. HOWARD  
JAMES M. HOWARD, JR.  
JOEL C. HOWARD, JR.  
CORAFETTA A. HOWELL  
JEREMY M. HOWELL  
SHAUN A. HULSIZER  
MICHAEL T. IMDIEKE  
SHINANE K. ISREAL  
ASHIAN M. IZADI  
CHRISTOPHER G. JACKSON  
MIKHAIL J. JACKSON  
KEVIN F. JAGUSCH  
CHARDETTE L. JAMES  
TONI R. JAMES  
MARKLY JEANCHARLES  
SILVIA JEMUTAI  
THOMAS C. JEWELL  
JOSE A. JIMENEZ  
CARREA L. JOHNSON  
COREY N. JOHNSON  
GEORGE E. JOHNSON  
ERAME E. JOHNSON  
SARAH E. JOHNSON  
SHEILA R. JOHNSON  
SPENCER D. JOHNSON  
TIMOTHY J. JOHNSON  
VIVLAVIA O. JOHNSON  
CHRISTOPHER D. JONES  
HUGH M. JONES  
JAMES A. JONES  
SHAWN M. JONES  
JASON K. JOST  
ANTHONY A. JOYCE  
BRADY C. JUELSON  
CYR KAMGATABOPDA  
MASIRAY A. KANNEHPEART  
ADAM M. KARLEWICZ  
MICHELLE K. KELLEY  
ANDREA L. KELLY  
CHRISTOPHER J. KEMPF  
PAUL M. KILGORE  
ERIC Y. KIM  
JAE H. KIM  
JAMAAL R. KIRKLAND  
STEPHEN F. KIROUAC  
JONATHAN M. KLEINFELT  
NICOLE R. KOEHLER  
KYMBERLY T. KOENIG  
LYDIA KOH  
JASON A. KOMINIAK  
ARMEJOY B. KOONTZ  
FRANCIS J. KOYKAR  
MATTHEW T. KRAMER  
JUSTIN M. KUHLMANN  
KEVIN C. KUMLIEN  
CHRISTOPHER M. LADD

ALLAN F. LAGGUI  
ROBERTO A. LAINEZ  
NATHAN A. LAISURE  
BRENDAN F. LAMB  
DAVID J. LAMMERS  
WILL N. LANDAVERDE  
NICHOLAS P. LANGE  
ERIN E. LANGLEY  
MATTHEW D. LANGLEY  
ASHLEY M. LANGSTON  
NATHAN A. LARSEN  
SHEMONIA T. LEA  
SCOTT A. LECHNER  
ROBERT S. I. LEE  
VON S. LENNOX  
ROBERT D. LINDSEY  
MICHAEL S. LISTOPAD  
JEREMY S. LITTREL  
AVIS J. LIVERPOOL  
CURT Q. LIVINGSTON  
ROBERT R. LOBDELL  
BENJAMIN J. LONG  
ARIANNA LONGORIA  
BRITTANY L. M. LOPRESTI  
KESIA S. LOYDBROWN  
BRANDON S. LUCAS  
RENE LUJAN  
CHERRY M. LUST  
DAVID G. MACK  
JOSHUA R. MALDEN  
KIMBERLY L. MALLARDBROWN  
CLIFTON J. MALONE  
HUMPHREY W. MARARO  
JAMES MARLEY  
JOANN M. MARQUEZ  
JACQUELIN N. MARRERO  
SARAH A. C. MARTIN  
RAUL MARTINEZ, JR.  
SUSANA MARTINEZ  
MICHAEL R. MATERNICK  
JAMIE L. MATTHEWS  
LAKEISHA MATTHEWS  
CAROL M. MAUGAVAITAUTOLU  
MATTHEW N. MAYOR  
CLEOTILDE MAZZOCOGONZALES  
CAROLYN F. MCARTHUR  
VAUGHN R. MCCLINTOCK  
ROOSEVELT J. MCCRAY  
MELVIN MCDONALD III  
ALEXANDRA C. MCGUIRE  
TERI A. MCMAHAN  
BRIAN C. MCNALLY  
MISSY L. MCNEILL  
RODERICK S. MCNIEL  
JODIE H. MCQUILLAN  
SEAN M. MCSHERRY  
JUSTIN R. MEREDITH  
NICHOLAS C. MILANO  
RODNEY A. MILBOURNE  
ZACHARY S. MILBOURNE  
DAVID N. K. MOBER  
HANS J. MOGELGAARD  
KEYLA M. MOJICA DIAZ  
MITCHELL D. MONETTE  
KAREN J. MONIGAN  
VICTOR M. MONTELLANO  
KELCEE L. MOODY  
JESSE L. MORGAN IV  
JUDITH R. MORGAN  
SHARLEEN L. MORGAN  
MICHAEL A. MORNER  
JOHANNA A. MOSBY  
LUCAS J. MOUTON  
JEFFREY S. MUIR  
CHRISTOPHER E. MULLIS  
JAMAL D. MURPHY  
ROLLIN B. MYERS  
STEVEN J. NABER  
MATTHEW J. NETER  
JUSTIN A. NEWLIN  
DIANNA A. NEWTON  
KENNY K. NGUYEN  
JENNIFER L. NICHOLAS  
BLAKE A. NIEWENHUIS  
KINGSLEY C. ONYEMA  
MARIA M. OROZCO  
JORGE A. ORTIZ  
EUNICE E. OWUSUBOADI  
ANDREA D. PABODY  
DAVID J. PADDOCK  
MINOU PAK  
DARYLE S. PALMER, JR.  
KEDRICK D. PALMER  
ANTWON D. PARKER  
REGINALD F. PARKER  
TERRENCE C. PARKER  
ALVA M. PEARSON  
RACHEL L. PENNY  
JOSE L. PEREZ, JR.  
JADDIEL PEREZCOLON  
FERDINAND PEREZRIVERA  
GEORGE N. PERKINSON  
TIMOTHY B. PETERS  
JOSHUA W. PETRUS  
JUDITH A. PHINN  
DAVID M. PICARD  
JOHN A. PICCIONE  
JIMMY PLATA  
VITALIY PLOKHOVSKYY  
WILLIAM E. PONDER  
JASON A. PORTER  
KEVIN L. PORTER  
SOLOMON A. PREKO  
COLE S. PRICE  
FERGUSON C. PRICE  
THOMAS C. PRITCHARD  
TRAVIS A. PROPPES

EMILLE K. PROSKO  
ROSECLAIRE PROSPER  
CHAD B. PROSSER  
ROWAN L. PRUITT  
BRITTANY K. QUILES  
RAHEEM T. RAHNI  
VINCENT T. RAMOS  
PAOLO G. RAPHAEL  
STEVEN J. RAUCHBACH  
CONTANYA L. RAVIN  
JOHN B. RAYNOR  
COURTNEY E. RAZON  
NATHAN R. RECTA  
JOSHUA A. REDMOND  
KURT N. REYNOLDS  
MICHAEL G. RIDLON  
ADAN L. RIVAS  
MIGUEL J. RIVERATRISTANI  
BERSY P. ROBERSON  
ELISSA R. ROBINSON  
TOMIKA S. ROBINSON  
ROMAN A. RODRIGUEZ  
GENEVIEVE B. RODRIQUEZ  
NEFJOVENY J. ROSA  
ADRIAN ROSADO  
DENNIS W. ROWE  
TATIANA V. SABUROVA  
JORDAN L. SALCEDO  
KRISTAN M. SALTER  
JAMES P. SANDERS  
SEONTAE J. SANDLAIN  
RENEE L. SANJUAN  
ELVIN J. SANTOSRENTAS  
MICHAEL G. SASLO  
CHRISTOPHER L. SAWTELLE  
ANTHONY D. SAYLES  
MARK M. SCHILLY  
SHANE A. SCHRADER  
BRANDON J. SCHWARTZ  
STEPHEN J. SCHWARTZ  
ALICIA D. SCOTT  
KENNETH SCOTT  
LERAE B. SCOTT  
CHRISTINA A. SCOTTO  
OLIVER R. SEARS, JR.  
SUMALINDINIE R. SERION  
EDUARDO SERRANO  
DARRELL E. SHEPPEARD  
FRANKIE B. SHY  
DEXTER D. SIMMONS  
DANIAL A. SINGER  
JAMIE A. SINKER  
SAMUEL A. SISTARE  
DANIEL T. SLOAN  
CHARLES F. SMITH  
CHRISTINA D. SMITH  
DEVAN M. SMITH  
RICHARD A. SMITH  
SALOME SOTILLO  
WALTER F. SPRENGELER  
ADAM D. STEAR  
BRADLEY P. STEIMLE  
JIMMY T. STEWART  
DOUGLAS S. STONER  
ANIETRA D. STOVALL  
ANDRACHELLE E. STRAKA  
ALAN M. STRANGE  
MARCUS D. STRINGER  
SANDIS SULLIVAN II  
JAMES B. SUMMERSELL  
TRENT W. SUTTERFELT  
JESSE D. SWANZY  
QUERUBIN S. TAGALAO, JR.  
JESSICA A. TAHILRAMANI  
ERIC TAYLOR  
JOSHUA P. TAYLOR  
RONALD C. TAYLOR  
JEFFREY R. TEPLIS  
TREVOR P. TETZLAFF  
WEDMAIER THENOR  
KIETH A. THIERRY  
JERRY L. THOMAS, JR.  
ANTHONY E. THOMPSON  
JOSEPH E. THOMPSON  
MICHAEL L. THOMPSON  
REED G. TIMME  
JAMES R. TOOMEY  
CHRISTOPHER J. TRILLING  
MATTHEW TRUAX  
ERIC E. TUBBS  
RYAN D. TUTTON  
CHAD M. TYSON  
LILLIAN K. VAN PELT  
BENJAMIN B. VANBEURDEN  
CAROLYN P. VANDEVENTER  
AMY M. VARNER  
BRYAN J. VELEZ  
JOHN P. VIDIKSIIS III  
ALAN J. VILLANUEVA  
ROYSTON S. VOGLEZON  
KEVIN S. VOSS  
RAYSHUA WAGENHEIM  
JACOB A. WALSH  
CHARLES A. WALTON  
GREGORY B. WARDWELL  
WILLIAM T. WARREN  
JAMES D. WEATHERS  
CAMERON D. WEBB  
ANDREW J. WEBER  
JEREMY M. WEIKS  
JOSHUA S. WEINTRAUB  
JOHN W. WEIRAUCH  
JOSHUA J. WEISMAN  
JOHN D. WELCH  
ERIC S. WENSTRUP  
ERNEST I. WEST  
KHANASTO J. WEST



ROBIN J. WHARTON  
KIERNAN P. WHITE  
MICHAEL R. WHITE  
KENYA U. WICKS  
JAMES B. WILBURN III  
BRADLEY M. WILCOX  
BRANDON A. WILLIAMS  
DANELLA J. WILLIAMS  
GINA V. WILLIAMS  
HOPE WILLIAMS  
KYLE A. WILLIAMS  
TODD R. WILLIAMS  
ALFIERITA A. WILSON  
DAVID A. WILSON  
EARL E. WILSON  
JADE J. WILSON  
KEVIN L. WILSON  
JUSTIN A. WINN  
DEISY R. WOLFE  
MARY M. WONG  
JERIMIAH A. WOOD  
MICHAEL P. WOODARD  
KENNETH L. WOODFORD, JR.  
NIRASARA WOODS  
IEISHA M. WOOLRIDGE  
STEPHANIE R. WORTH  
ADAM K. WRIGHT  
SHEMEKA L. WRIGHT  
PAUL J. YI  
BYRON V. YOUNG  
TAMARA N. YOUNG  
JENNIFER C. YURK  
PATRICK M. ZEBROWSKI  
PATRICIA E. ZUMWALT  
D013472  
D013513  
D014348  
D014355  
D014486  
D014510  
D014535  
D014862

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT  
TO THE GRADE INDICATED IN THE UNITED STATES ARMY  
UNDER TITLE 10, U.S.C., SECTION 624:

*To be major*

ALAN ADAME  
JAMES R. ARMSTRONG, JR.  
CRAIG T. BRECHLER  
CARLO A. CAPELLA  
TRAVIS A. CARRENO  
THOMAS J. CROSS  
CARLINTON O. DOBSON  
ADAM B. DUBY  
RICHARD EATON  
JAMES M. FASONE

JOEL R. FREDRICKSON  
AVERROES A. FREEMAN  
JOSHUA GOMPERT  
DANIEL L. HANNUM  
DANIEL S. HAWTHORNE  
SETH M. HAYDEN  
MATTHEW D. HEINMILLER  
PHILIP T. HENKE  
NATHAN M. HICKS  
NATHAN R. JENKINS  
AUSTYN W. KRUTSINGER  
MARK C. LESAK  
WILLIAM B. LILES  
SEAN M. LYNCH  
PHILIP J. MACIEJEWSKI  
NEIL A. MILCHAK  
JOSHUA S. NIKES  
HERBERT W. NORTON III  
DANIEL OCONER  
BRADLEY D. PEMBERTON  
JULIAN C. PETTY  
ROY D. RAGSDALE  
HYMAN H. RAYBORN II  
JOSHUA C. SANCHEZ  
SHANE A. SARTALAMACCHIA  
THOMAS M. SCHINDLER  
SARAH J. SMITH  
JOSEPH U. STANLEY  
DARNELL STOKES  
ADAM J. SZCZYPKA  
BRIDGER S. TERRA  
SARAH P. WHITE  
STEVEN M. WHITHAM  
DANIEL J. WILD  
LEONARD A. WILLIS, JR.  
JONATHAN P. WOOD  
EUGINNA S. WOODS  
BRADLEY W. YOUNG  
THOMAS E. ZASTOUPIL  
D013220  
D013619

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT  
TO THE GRADE INDICATED IN THE UNITED STATES ARMY  
UNDER TITLE 10, U.S.C., SECTION 624:

*To be major*

ELIZABETH A. FIELDS

IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR TEMPORARY  
APPOINTMENT TO THE GRADE INDICATED IN THE  
UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION  
605:

*To be lieutenant commander*

SCOTT A. ADAMS

NEWTON R. ARIAS  
VERBON D. BRADLEY III  
KEVIN M. BRENT  
STEVEN J. BRINKLEY  
ERIC S. CLARK  
BENJIMAN D. COYLE  
FORREST S. CROWELL  
STEVEN CUEVAS  
SAMUEL L. CURLEE  
BRENT E. DEERING  
CHRISTOPHER T. DEYOUNG  
REBECCA L. DICKEY  
JOHN A. DUGGER  
FRANK L. ELLIS  
JOHN P. ENGLISH  
ROBERT M. FEDELE  
TAMFU G. FOMUSO  
MILES A. GARRETT  
BRIAN F. GOTTFRIED  
SAMUEL W. GRAESSLE  
DUNCAN N. HAMILTON  
ROBERT N. HARRIS III  
TERENCE P. HIGGINS  
JAMES T. HOUGH  
CHRISTOPHER A. ISLEY  
MEGAN E. JAMISON  
JASMINE D. LEE  
KEVIN M. LEWMAN  
JUSTIN C. MCCORKLE  
CHRISTIAN J. MINEUR  
JUNG H. PARK  
NATHANIEL S. PELLETIER  
DAVID C. PHILLIPS  
BRIDGET M. RIORDAN  
THELMAR A. ROSARDA  
ALEX M. SCAPEROTTO  
JOSHUA B. SEAGRAVE  
PATRICK D. SHANNON  
ERIC T. STROMME  
MICHAEL A. TARESCAVAGE  
SCOTT W. TERRY  
JAMES R. THOMPSON  
HELENA J. VANGILDER  
DANIEL M. WOODS  
BRET A. YOUNT

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT  
IN THE GRADE INDICATED IN THE IN THE REGULAR MA-  
RINE CORPS UNDER TITLE 10, U.S.C. SECTION 531:

*To be major*

BETHANY S. PETERSON  
JON T. PETERSON