not a true measure of the person or of his impact on the world. But I and many others will take considerable pleasure in knowing that high above Cayuga's waters for decades to come, Matt's name will be seen by millions of Ithacans and other New Yorkers. And parents will tell their children, Matt McHugh? Oh, he is probably the best public servant this town, this county, this State has ever known.

Mr. Speaker, I hope you and all our colleagues will join me in supporting this honor for one of the best Members of Congress our institution has ever known, Matt McHugh.

Mr. HINCHEY. Mr. Speaker, I yield 5 minutes to the gentleman from San Diego, California (Mr. FILNER).

Mr. FILNER. Mr. Speaker, I thank the gentleman from New York for yielding me this time, and I thank him for introducing this motion for a great former Member of our body. I thank also the gentlewoman from Maryland (Mrs. MORELLA) and the gentleman from New York (Mr. HOUGHTON) for their support of this issue.

Mr. Speaker, I have the honor of rising in support of this measure to name the post office in Ithaca after Matthew McHugh. We have heard a lot about his legislative accomplishments, his work in the Committee on Appropriations, his work at the World Bank. I had the privilege of meeting Matt McHugh before he held any of those offices, a little after the gentleman from New York (Mr. LAFALCE) knew him.

I was a student at Cornell in 1968 when Matt McHugh was the Ithaca city prosecutor. ''Town and gown'' relations between Cornell and Ithaca were never very good, but in 1968 at the height of tensions around this country and at the Cornell campus, literally uprisings, the tensions were even worse. And yet the Ithaca city prosecutor was respected by students at Cornell, and he respected us as students.

It was that mutual respect and that mutual sense of good feeling which has characterized the career of Matt McHugh ever since that day.

At 30 years old, he was elected the first Democratic district attorney for Tompkins County, New York. Many students at Cornell, including myself, worked in that first campaign for Matt McHugh. The respect that he earned in that job, as the gentleman from New York (Mr. LAFALCE) intimated earlier, led to his election to Congress in 1974, again, as the first Democrat from that area in a very, very long time.

Now, Matt McHugh was the kind of man who kept up his relationships. He was never a man who was unfriendly; always a gracious, sharing, caring individual. I kept my relations with him as a Hill staffer in the 1970s and 80's. And what we are saying today, those who knew him and those who served with him, is that Matt McHugh saw politics as a noble profession. Everybody who knows Matt McHugh, and knew him as an elected official, learned that, in fact, politicians, elected officials, could be noble; that elected officials had not only intelligence and insight, but they had integrity and ethics, fairness, and in the case of Matt McHugh, grace.

His wife, Alanna, and his wonderful daughters, played a key role in all of his life. He was proud of them and they were proud of him, and he showed what a family in politics could do together.

Mr. Speaker, having lived in Ithaca for 10 years, and I think the only Cornell alumnus in this body at the present time, I know that all Ithacans will be proud that a post office in their city will be named after Matt McHugh.

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

Mr. Speaker, I also want to thank our friends, the gentleman from New York (Mr. LAFALCE) and the gentleman from California (Mr. FILNER), for their words about our dear friend, Matt McHugh. I also want to express my deep appreciation to the gentlewoman from Maryland (Mrs. MORELLA) for the wonderful and very thoughtful things that she said about our friend and colleague, Matt McHugh, as well.

Having followed him here to the House, I can say also without hesitation or fear of conviction that he set, while he was here, a very high standard indeed and he continues to set a high standard in his continuing public service at the World Bank.

We in New York are very, very proud of this man and the service that he has rendered to our State and to the country. It is with a great deal of pride that I offer this measure to the other Members of the House.

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

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

Mr. Speaker, I am very pleased that the gentleman from New York (Mr. HINCHEY) has introduced this resolution to name this post office. During my time with Matt McHugh here in the House of Representatives, I will also say that I found him to be fair, open-minded, warm, bipartisan, and a very committed professional.

I am pleased that he is continuing with his work with the World Bank, because he is helping those who are oppressed and those who need the Bank's services in other countries.

So, Mr. Speaker, I urge this body to vote for H.R. 3030, to name the post office the ''Matthew F. McHugh Post Office.''

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

The SPEAKER pro tempore (Mr. PEASE). The question is on the motion offered by the gentlewoman from Maryland (Mrs. MORELLA) that the House suspend the rules and pass the bill, H.R. 3030.

The question was taken.

Mrs. MORELLA. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

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SHARK FINNING PROHIBITION ACT

Mr. SHERWOOD. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3535) to amend the Magnuson-Stevens Fishery Conservation and Management Act to eliminate the wasteful and unsportsmanlike practice of shark finning, as amended.

The Clerk read as follows:

H.R. 3535

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 ''Shark Finning Prohibition Act''.

SEC. 2. PURPOSE.

The purpose of this Act is to eliminate the wasteful and unsportsmanlike practice of shark finning and to reduce the high mortality levels associated with shark finning in waters of the United States.

SEC. 3. PROHIBITION ON REMOVING SHARK FIN AND DISCARDING SHARK CARCASS AT SEA.

Section 307 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1857) is amended—

(1) in subparagraph (N) by striking ''or'' after the semicolon at the end;

(2) in subparagraph (O) by striking the period and inserting ''; or''; and

(3) by adding at the end the following:

''(P)(i) to remove any of the fins of a shark (including the tail) and discard the carcass of the shark at sea;

''(ii) to have custody, control, or possession of any such fin aboard a fishing vessel without the corresponding carcass; or

''(iii) to land any such fin without the corresponding carcass;''.

The SPEAKER pro tempore (Mr. PEASE). Pursuant to the rule, the gentleman from Pennsylvania (Mr. SHERWOOD) and the gentleman from California (Mr. GEORGE MILLER) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. SHERWOOD).

GENERAL LEAVE

Mr. SHERWOOD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 3535.

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

There was no objection.

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

Mr. Speaker I rise in support of H.R. 3535, the Shark Finning Prohibition Act, introduced by the gentleman from California (Mr. CUNNINGHAM). This legislation amends the Magnuson-Stevens Fishery Conservation and Management Act to prohibit the removal of shark fins, including the tail, and then discard the carcass into the sea; to prohibit having the custody, control, or possession of any such fin aboard a fishing vessel without the corresponding carcass; and to prohibit the

landing of such fins without the corresponding carcass.

The practice of shark finning is wasteful and wrong. In addition, the practice of shark finning is inconsistent with rules governing the harvest of sharks on the East Coast, in the Gulf of Mexico, and in the Caribbean. This legislation will make shark finning illegal in all U.S. waters.

The Subcommittee on Fisheries Conservation, Wildlife and Oceans reported H.R. 3535 by voice vote with one amendment on May 18, 2000. The full Committee on Resources then reported the bill without amendment by voice vote on May 24. This is a noncontroversial bill that should be supported by all Members.

Members may remember that the House reported a nonbinding resolution on this issue in October of last year which expresses the sense of Congress that the practice of shark finning is a wasteful and unsportsmanlike practice that could lead to overfishing of shark resources.

The resolution further encouraged Federal and State fishery managers to promptly and permanently end the practice of shark finning in all Federal and State waters in the Pacific. Regrettably, this has not occurred; and this legislation is, therefore, necessary.

I urge an aye vote on this important conservation legislation.

Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. CUNNINGHAM).

(Mr. CUNNINGHAM asked and was given permission to revise and extend his remarks, and include extraneous material.)

Mr. CUNNINGHAM. Mr. Speaker, I would like to thank the individuals from the Committee on Resources, the gentleman from New Jersey (Mr. SAXTON), the gentleman from Alaska (Mr. YOUNG), the gentleman from California (Mr. GEORGE MILLER), and the gentleman from Hawaii (Mr. ABERCROMBIE).

I read in a magazine where sharks had literally been caught, the fin taken off, and then the sharks dumped back into the water still alive. I am a sportsman. I love to hunt and fish. But I also like management and preservation, and I do not like horrific practices when it comes to animals.

The committee has seen fit to bring first a resolution and now this bill, Mr. Speaker. This legislation before the House today will establish scientifically environmentally sound and responsible standards for all American fisheries in this particular issue.

The Shark Finning Prohibition Act has broad bipartisan support. It is strongly supported by Ocean Wildlife Campaign, the coalition includes Center for Marine Conservation, National Audubon Society, National Coalition of Marine Conservation, Natural Resources Defense Council, Wildlife Conservation Society, and the World Wildlife Fund. It is also supported by the State of Hawaii and the Office of Hawaiian Affairs, which had direct interest into this issue; the American Sportfishing Association; Recreational Fishing Alliance; the Sports Fishing Association of California; the Cousteau Society; Western Pacific Fisheries Coalition.

I would like to underscore, Mr. Speaker, that, according to the National Marine Fishery Service, in 1992, there was only 2,289 sharks taken. In just a short time, one can see the growth of the shark finning and the numbers that have actually been released. Over 78,000 sharks had been taken and only 982 were released.

H.R. 3535 will establish America as a worldwide leader in shark and conservation efforts.

I would like to thank my colleagues. When I came to Congress, I did not start off banning hunting and fishing and unsportsmanlike conduct on certain issues. But since then, the tuna-dolphin bill, protecting elephants, snow geese, the MSCP, which provides quarters for endangered species and such, this is good scientific basis for this particular bill. I would like to thank my colleagues for the support in a bipartisan support for this particular bill.

Mr. Speaker, I include the following letters for the RECORD, as follow:

OCEAN WILDLIFE CAMPAIGN,
Washington, DC, September 22, 1999.

Hon. RANDY CUNNINGHAM,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE CUNNINGHAM: We are writing to express serious concern regarding the management and health of shark populations in U.S. Pacific waters, specifically in areas under the jurisdiction of the Western Pacific Regional Fishery Management Council (WESPAC). Driven by the international demand for shark fin soup, the practice of shark finning—cutting of a shark's fins and discarding its carcass back into the ocean—is a rapidly growing problem that is directly responsible for huge increases in the number of sharks killed annually and appalling waste of this nation's living marine resources. The National Marine Fisheries Service has prohibited shark finning in the U.S. Atlantic, Gulf of Mexico, and Caribbean. It is time to ban finning in the Pacific.

Between 1991 and 1998, the number of sharks ''retained'' by the Hawaii-based swordfish and tuna longline fleet jumped from 2,289 and 60,857 annually. In 1998, over 98 percent of these sharks were killed for their fins to meet the demand for shark fin soup. Because shark fins typically comprise only one to give percent of a shark's bodyweight, 95 to 99 percent of the shark is going to waste. Sharks are particularly vulnerable to overfishing because of their ''life history characteristics''—slow growth, late sexual maturity, and the production of few young. Once depleted, a population may take decades to recover.

The National Marine Fisheries Service, conservationists, fishermen, scientists, and the public have pressured MESPAC to end the practice of shark finning. Nevertheless, WESPAC and the State of Hawaii recently failed to take action to end or control finning.

This issue of shark finning is characterized by a dangerous lack of management, rampant waste, and egregious inconsistencies with U.S. domestic and international policy stances. It is the most visible symptom of a larger problem: a lack of comprehensive management for sharks in U.S. Pacific waters. The history of poorly or unmanaged shark fisheries around the world is unequivocal: rapid decline followed by collapse. Sharks are not managed in U.S. Central and Western Pacific waters, and with increased fishing pressure there may be rapidly growing problems.

We urge your office to take whatever action is necessary to immediately end the destructive practice of shark finning in U.S. waters and encourage WESPAC to develop a comprehensive fishery management plan for sharks that will, among other things:

1. Immediately prohibit the finning of sharks;
2. Immediately reduce shark mortality levels by requiring the live release of all bycatch or ''incidentally caught'' animals brought to the boat alive;
3. Immediately reduce the bycatch of sharks;
4. Prevent overfishing by quickly establishing precautionary commercial and recreational quotas for sharks until a final comprehensive management plan is adopted that ensures the future health of the population. Given the dramatic increase in the number of sharks killed in the Hawaiian long line fishery, WESPAC should cap shark mortality at 1994 levels as a minimum interim action, pending the outcome of new population assessments.

Thank you for your attention to this urgent matter.

DAVID WILMONT, Ph.D.,
Ocean Wildlife Campaign.
CAROL SAFINA, Ph.D.,
National Audubon Society.
LISA SPEER,
Natural Resources Defense Council.
TOM GRASSO,
World Wildlife Fund.
SONJA FORDHAM,
Center for Marine Conservation.
KEN HINMAN,
National Coalition for Marine Conservation.
ELLEN PIKITCH, Ph.D.,
Wildlife Conservation Society.

STATE OF HAWAII
OFFICE OF HAWAIIAN AFFAIRS,
Honolulu, HI, February 3, 2000.

Hon. RANDY ''DUKE'' CUNNINGHAM,
Rayburn House Office Building,
Washington, DC.

DEAR CONGRESSMAN CUNNINGHAM: The purpose of this letter is to strongly endorse H.R. 3535, which you recently introduced, banning shark finning in areas where the Magnuson-Stevens Fishery Conservation and Management Act has jurisdiction.

As you are no doubt aware, there has been considerable outcry among the Native Hawaiian population, as well as the population at large in Hawaii, about the practice of shark finning. Currently there are five bills that have been introduced in our legislature to address a ban of Shark finning in waters in which the State has jurisdiction.

Because Hawaiian culture is integrally tied to the health, abundance, and access to indigenous natural resources, Hawaiians have always strived to play a stewardship role by sound management and protection of the natural environment on which the culture relies. Unfortunately, Hawaii is constantly endangered by the imposition of Western beliefs, customs, religions, and economic desires which do not necessarily hold similar views about the importance of the natural environment. Taking a small portion of a shark or any animal and wasting the remainder clearly runs counter to the Hawaiian stewardship views. Traditional use of sharks in Hawaiian cultural meant utilization of the entire animal.

Equally as important to Hawaiians is the cultural and spiritual significance of the shark itself. Many Hawaiian families hold the shark in special esteem as the physical manifestation (called kinolau) of their family guardian (aumakua), who was also regarded as a family ancestor. There are many other kinolau in Hawaiian culture, including the owl, lizard, dog, rocks, and clouds. Imagine the uproar that would arise if the Spotted Owl were to be taken, even as ''bycatch'' for its wings. The intensity of feeling about shark finning among Hawaiians is magnified a hundred-fold because of the special spiritual significance of the shark. To hurt or destroy the shark wantonly and intentionally is for many families equivalent to desecrating one's own ancestors and heritage. In summary, as recently noted by Hawaiian cultural practitioner Charles Kauluwehi Maxwell, the practice of shark finning is ''very offensive'' to Hawaiians.

Our Mahalo for your interest in this matter. We hope that the legislation will be reported out by the House Committee on Resources, and approved by the full House and the Senate. If we can be of further assistance, please do not hesitate to contact me or Jerry B. Norris, our Federal Desk Officer at (808) 594–1758.

Sincerely,

COLETTE Y. MACHADO,
Chair, Committee on Legislative and Government Affairs.

AMERICAN SPORTFISHING ASSOCIATION,
Alexandria, VA, September 23, 1999.

Hon. RANDY ''DUKE'' CUNNINGHAM,
House of Representatives,
Washington, DC.

DEAR DUKE CUNNINGHAM: On behalf of the nearly 500 members of the American Sportfishing Association, I wish to express my strong support for your resolution to ban the wasteful practice of shark finning. I commend your initiative in tackling this important, yet easily dismissed issue.

For far too long, we have neglected to take action to stop this most unsportsmanlike fishing activity. We now know that the best shark is not a dead shark; that these oft maligned fish play critical roles in preserving balance in the marine ecosystem. Healthy shark populations help maintain robust fisheries. Your effort to ban finning will not only benefit depressed shark populations, but many other species of commercially and recreationally important fish.

Thank you for your leadership in this area.

Sincerely,

Hon. MIKE HAYDEN,
President/CEO.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 3535, the Shark Finning Prohibition Act that is authored by the gentleman from California (Mr. Cunningham) who just spoke in the well.

Shark finning is currently one of the most visible and controversial conservation issues in the waters of the Pacific Ocean. While the practice of finning has already been banned in Federal waters in the Atlantic, Gulf of Mexico, and the Caribbean, as well as waters of 11 coastal States, it remains unregulated in the Pacific.

As a result, and because of the strong demand and the high price of shark fins in Asia, the harvest of shark fins in the Pacific has increased over the past 7 years by more than 2,000 percent. More than 60,000 sharks were caught and killed in 1998 alone, and 98 percent of those sharks were killed simply for their fins, or less than 5 percent of their body weight, and then the shark was dumped overboard to die. This is wrong. It is culturally wrong. It is morally wrong. It is certainly wrong in terms of the laws of conservation and maintaining this species.

In addition, shark finning is inconsistent with U.S. policy, both domestically and internationally. In the United States, it is contrary to the Magnuson Act which requires fisherman to reduce bycatch and the mortality of bycatch that cannot be avoided. Given that 85 percent of the sharks caught are alive when they reach the boats, prohibiting the finning of these sharks will reduce bycatch by significant amounts.

The Shark Finning Prohibition Act will not prevent U.S. fishermen from harvesting sharks, bringing them to shore, and then using the fins or any of the other parts of the shark. Instead, it would simply prevent cutting off of the fins and disposal of carcass at sea, or the transport or landing of fins harvested in this manner by another fishing vessel.

This is good legislation. The House should support it. We should put an end to these kinds of very narrow and greedy practices by some nations that devastate, in this case, the shark species, but it is rampant in other parts of the world with respect to other species. This is a good legislation. The House should support it.

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

Mr. SHERWOOD. Mr. Speaker, I yield 2 minutes to the gentlewoman from Maryland (Mrs. MORELLA).

Mrs. MORELLA. Mr. Speaker, I thank the gentleman from Pennsylvania for yielding me this time.

Mr. Speaker, I do rise in strong support of H.R. 3535, the Shark Finning Prohibition Act. I do want to thank the gentleman from California (Mr. CUNNINGHAM) for introducing this measure, and I want to thank the Committee on Resources for expeditiously approving the legislation which we have found out is certainly needed.

H.R. 3535 would bring an end to the abhorrent wasteful and unsportsmanlike practice of shark finning in American waters. The legislation will ban both the act of shark finning and the possession of shark fins without a shark carcass.

Mr. Speaker, for those who are unfamiliar with the practice, the repugnant act of shark finning is a removal of a shark's fins and subsequent dumping of the dying or dead shark back into the ocean. It is a wasteful and environmentally harmful practice. The legislation to ban shark finning is strongly supported by a coalition of environmental and recreational organizations.

U.S. law currently prohibits shark finning in the Federal waters of the U.S. Atlantic and Gulf of Mexico. However, we know that the demand for shark fins from the Pacific Ocean is dramatically increasing. According to the National Marine Fisheries Service, more than 60,000 Pacific sharks were killed in 1998. Almost 100,000 of these sharks were killed solely for their fins.

Mr. Speaker, as an original cosponsor of H.R. 3535, I urge swift passage of this legislation to immediately end repulsive shark finning.

Mr. FALEOMAVAEGA. Mr. Speaker, I rise today in strong support of H.R. 3535, the Shark Finning Prohibition Act.

In the continental United States, there is obviously a strong feeling that shark finning is a wasteful, abhorrent practice which has no place in U.S. waters. It is seen as contrary to current effort to maintain ecological balance in our oceans, and wasteful in that less than 5% of a shark's mass is comprised of its fins, with the rest of the carcass thrown back into the water unused. Many feel that the trade-off between the loss of life for the benefit of a good-tasting soup, much of which is consumed in Asia, balanced against the amount of waste and the importance of the fishery is tipped significantly in favor of the fishery.

I understand the economic incentives which drive this activity. A small cup of shark fin soup costs $100 in parts of Asia and is considered a delicacy just as much as chocolate-covered ants, snails, and horse meat are in other cultures.

Most of the sharks caught and finned in Hawaii-area waters are a bycatch from long-line fishing boats which are targeting tuna and swordfish. But sharks are not the only bycatch or miscellaneous fish caught and then discarded as waste because they do not have the same market value as tuna or swordfish, and I do not find it particularly reassuring that we are addressing the blue shark problem and ignoring a problem of much greater magnitude with other miscellaneous fish. The killing of these fish just because they are unwanted should be of no less of concern to all of us. We should also be addressing that problem, but are not because we do not have adequate stock assessments of most stocks. Part of the blame for this lies with the National Marine Fishery Service for not requesting additional funding to carry out this research, but part of the problem lies with the Congress as well, for not funding this important work.

Obviously the United States alone cannot adequately address the problem of shark finning, as many other countries participate in this fishery as well. The United States is responsible for only a very small percentage of this industry, and I hope the Administration addresses this subject through international treaty. In the Pacific, the management commission being developed by the Multilateral High level Conference would be appropriate.

As introduced, this legislation did not address the issue of transshipment of shark fins through U.S. ports. The practice of shark finning in international waters by foreign fishing vessels, and then shipping the fins from U.S. ports to foreign countries, is significant. To partially address this problem, I offered an amendment in Subcommittee to prohibit this practice, and I want to thank the majority for accepting that amendment. I hope that our next step will be to address the issue of shark fins transshipped through U.S. ports as bonded cargo. In response to a question I asked

the Western Pacific Regional Fishery Management Council earlier this year, the Council reported that approximately 200 tons of dried shark fins are transported through U.S. Pacific ports as bonded cargo.

There are groups in the Pacific that support a ban on shark finning; however, the Western Pacific Fishery Management Council, the entity tasked by law with management of the fisheries in the U.S. Central and Western Pacific Ocean, has repeatedly said that there is insufficient data on which to make that decision. While I do not agree with the Western Pacific Council on this one issue, I do wish to acknowledge the Council's work in including pelagic sharks in its management of pelagic fisheries dating as far back as 1987. To its credit, the Council has also taken aggressive conservation action in many other areas since it was established.

I want to thank Congressmen CUNNINGHAM, Chairman, DON YOUNG and SAXTON, and Congressman GEORGE MILLER for the active roles they have taken in moving this legislation forward, and I look forward to seeing the passage of the bill later today.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. SHERWOOD) that the House suspend the rules and pass the bill, H.R. 3535, as amended.

The question was taken.

Mr. SHERWOOD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

CARLSBAD IRRIGATION PROJECT ACQUIRED LAND TRANSFER ACT

Mr. SHERWOOD. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 291) to convey certain real property within the Carlsbad Project in New Mexico to the Carlsbad Irrigation District.

The Clerk read as follows:

S. 291

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 ''Carlsbad Irrigation Project Acquired Land Transfer Act''.

SEC. 2. CONVEYANCE.

(a) LANDS AND FACILITIES.—

(1) IN GENERAL.—Except as provided in paragraph (2), and subject to subsection (c), the Secretary of the Interior (in this Act referred to as the ''Secretary'') may convey to the Carlsbad Irrigation District (a quasi-municipal corporation formed under the laws of the State of New Mexico and in this Act referred to as the ''District''), all right, title, and interest of the United States in and to the lands described in subsection (b) (in this Act referred to as the ''acquired lands'') and all interests the United States holds in the irrigation and drainage system of the Carlsbad Project and all related lands including ditch rider houses, maintenance shop and buildings, and Pecos River Flume.

(2) LIMITATION.—

(A) RETAINED SURFACE RIGHTS.—The Secretary shall retain title to the surface estate (but not the mineral estate) of such acquired lands which are located under the footprint of Brantley and Avalon dams or any other project dam or reservoir division structure.

(B) STORAGE AND FLOW EASEMENT.—The Secretary shall retain storage and flow easements for any tracts located under the maximum spillway elevations of Avalon and Brantley Reservoirs.

(b) ACQUIRED LANDS DESCRIBED.—The lands referred to in subsection (a) are those lands (including the surface and mineral estate) in Eddy County, New Mexico, described as the acquired lands and in section (7) of the ''Status of Lands and Title Report: Carlsbad Project'' as reported by the Bureau of Reclamation in 1978.

(c) TERMS AND CONDITIONS OF CONVEYANCE.—Any conveyance of the acquired lands under this Act shall be subject to the following terms and conditions:

(1) MANAGEMENT AND USE, GENERALLY.—The conveyed lands shall continue to be managed and used by the District for the purposes for which the Carlsbad Project was authorized, based on historic operations and consistent with the management of other adjacent project lands.

(2) ASSUMED RIGHTS AND OBLIGATIONS.—Except as provided in paragraph (3), the District shall assume all rights and obligations of the United States under—

(A) the agreement dated July 28, 1994, between the United States and the Director, New Mexico Department of Game and Fish (Document No. 2–LM–40–00640), relating to management of certain lands near Brantley Reservoir for fish and wildlife purposes; and

(B) the agreement dated March 9, 1977, between the United States and the New Mexico Department of Energy, Minerals, and Natural Resources (Contract No. 7–07–57–X0888) for the management and operation of Brantley Lake State Park.

(3) EXCEPTIONS.—In relation to agreements referred to in paragraph (2)—

(A) the District shall not be obligated for any financial support agreed to by the Secretary, or the Secretary's designee, in either agreement; and

(B) the District shall not be entitled to any receipts for revenues generated as a result of either agreement.

(d) COMPLETION OF CONVEYANCE.—If the Secretary does not complete the conveyance within 180 days from the date of enactment of this Act, the Secretary shall submit a report to the Congress within 30 days after that period that includes a detailed explanation of problems that have been encountered in completing the conveyance, and specific steps that the Secretary has taken or will take to complete the conveyance.

SEC. 3. LEASE MANAGEMENT AND PAST REVENUES COLLECTED FROM THE ACQUIRED LANDS.

(a) IDENTIFICATION AND NOTIFICATION OF LEASEHOLDERS.—Within 120 days after the date of enactment of this Act, the Secretary of the Interior shall—

(1) provide to the District a written identification of all mineral and grazing leases in effect on the acquired lands on the date of enactment of this Act; and

(2) notify all leaseholders of the conveyance authorized by this Act.

(b) MANAGEMENT OF MINERAL AND GRAZING LEASES, LICENSES, AND PERMITS.—The District shall assume all rights and obligations of the United States for all mineral and grazing leases, licenses, and permits existing on the acquired lands conveyed under section 2, and shall be entitled to any receipts from such leases, licenses, and permits accruing after the date of conveyance. All such receipts shall be used for purposes for which the Project was authorized and for financing the portion of operations, maintenance, and replacement of the Summer Dam which, prior to conveyance, was the responsibility of the Bureau of Reclamation, with the exception of major maintenance programs in progress prior to conveyance which shall be funded through the cost share formulas in place at the time of conveyance. The District shall continue to adhere to the current Bureau of Reclamation mineral leasing stipulations for the Carlsbad Project.

(c) AVAILABILITY OF AMOUNTS PAID INTO RECLAMATION FUND.—

(1) EXISTING RECEIPTS.—Receipts in the reclamation fund on the date of enactment of this Act which exist as construction credits to the Carlsbad Project under the terms of the Mineral Leasing Act for Acquired Lands (30 U.S.C. 351–359) shall be deposited in the General Treasury and credited to deficit reduction or retirement of the Federal debt.

(2) RECEIPTS AFTER ENACTMENT.—Of the receipts from mineral and grazing leases, licenses, and permits on acquired lands to be conveyed under section 2, that are received by the United States after the date of enactment and before the date of conveyance—

(A) not to exceed $200,000 shall be available to the Secretary for the actual costs of implementing this Act with any additional costs shared equally between the Secretary and the District; and

(B) the remainder shall be deposited into the General Treasury of the United States and credited to deficit reduction or retirement of the Federal debt.

SEC. 4. VOLUNTARY WATER CONSERVATION PRACTICES.

Nothing in this Act shall be construed to limit the ability of the District to voluntarily implement water conservation practices.

SEC. 5. LIABILITY.

Effective on the date of conveyance of any lands and facilities authorized by this Act, 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 conveyed property, except for damages caused by acts of negligence committed by the United States or by its employees, agents, or contractors, prior to conveyance. Nothing in this section shall be considered to increase the liability of the United States beyond that provided under chapter 171 of title 28, United States Code, popularly known as the Federal Tort Claims Act.

SEC. 6. FUTURE BENEFITS.

Effective upon transfer, the lands and facilities transferred pursuant to this Act shall not be entitled to receive any further Reclamation benefits pursuant to the Reclamation Act of June 17, 1902, and Acts supplementary thereof or amendatory thereto attributable to their status as part of a Reclamation Project.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. SHERWOOD) and the gentleman from California (Mr. GEORGE MILLER) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. SHERWOOD).

GENERAL LEAVE

Mr. SHERWOOD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on S. 291.