

boundary study to evaluate the significance of the Colonel James Barrett Farm in the Commonwealth of Massachusetts and the suitability and feasibility of its inclusion in the National Park System as part of the Minute Man National Historical Park, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

PINE SPRINGS LAND EXCHANGE ACT

The Senate proceeded to consider the bill (H.R. 482) to provide for a land exchange involving Federal lands in the Lincoln National Forest in the State of New Mexico, and for other purposes, which had been reported from the Committee on Energy and Natural Resources, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE

This Act may be cited as the "Pine Springs Land Exchange Act".

SEC. 2. DEFINITIONS

In this Act:

(1) **FEDERAL LAND**.—The term 'Federal land' means the 3 parcels of Forest land (including any improvements on the land), comprising approximately 80 acres, as depicted on the map.

(2) **FOREST**.—The term "Forest" means the Lincoln National Forest in the State of New Mexico.

(3) **MAP**.—The term "map" means the map entitled "Pine Springs Land Exchange" and dated May 25, 2004.

(4) **NON-FEDERAL LAND**.—The term "non-Federal land" means the parcel of University land comprising approximately 80 acres, as depicted on the map.

(5) **SECRETARY**.—The term "Secretary" means the Secretary of Agriculture.

(6) **UNIVERSITY**.—The term "University" means Lubbock Christian University in the State of New Mexico.

SEC. 3. LAND EXCHANGE.

(a) **IN GENERAL**.—In exchange for the conveyance to the Secretary of the non-Federal land by the University, the Secretary shall convey to the University, by quitclaim deed, all right, title, and interest of the United States in and to the Federal land.

(b) **MAP**.—

(1) **AVAILABILITY OF MAP**.—The map shall be on file and available for inspection in—

(A) the Office of the Chief of the Forest Service; and

(B) the Office of the Supervisor of Lincoln National Forest.

(2) **MINOR ERRORS**.—The Secretary and the University may correct any minor errors in the map.

SEC. 4. EXCHANGE TERMS AND CONDITIONS.

(a) **IN GENERAL**.—The conveyance of Federal land under section 3(a) shall be subject to—

(1) any valid existing rights; and

(2) any additional terms and conditions that the Secretary determines to be appropriate to protect the interests of the United States.

(b) **ACCEPTABLE TITLE**.—Title to the Non-Federal Land Shall—

(1) conform with the title approval standards of the Attorney General applicable to Federal land acquisitions; and

(2) otherwise be acceptable to the Secretary.

(c) **COMPLIANCE WITH FEDERAL LAND POLICY AND MANAGEMENT ACT**.—The land ex-

change authorized under section 3(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) **COSTS**.—The costs of carrying out the exchange of Federal land and non-Federal land shall be shared equally by the Secretary and the University.

SEC. 5. MISCELLANEOUS PROVISIONS.

(a) **REVOCATION AND WITHDRAWAL**.—

(1) **REVOCATION OF ORDERS**.—Any public orders withdrawing any of the Federal land from appropriation or disposal under the public land laws are revoked to the extent necessary to permit disposal of the Federal land in accordance with this Act.

(2) **WITHDRAWAL OF FEDERAL LAND**.—Subject to valid existing rights, pending the completion of the land exchange under section 3(a), the Federal land is withdrawn from all forms of location, entry, and patent under the public land laws, including—

(A) the mining and mineral leasing laws; and

(B) the Geothermal Steam Act of 1970 (30 U.S.C. 1001 et seq.).

(b) **ADMINISTRATION OF LAND ACQUIRED BY THE UNITED STATES**.—

(1) **BOUNDARY ADJUSTMENT**.—On acceptance of title by the Secretary to the non-Federal land—

(A) the non-Federal land shall become part of the Forest; and

(B) the boundaries of the Forest shall be adjusted to include the acquired land.

(2) **LAND AND WATER CONSERVATION FUND**.—For purposes of section 7 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-9), the boundaries of the Forest, as modified under paragraph (1), shall be considered to be boundaries of the Forest as of January 1, 1965.

(3) **MANAGEMENT**.—The Secretary shall manage the non-Federal land acquired under section 3(a) in accordance with—

(A) the Act of March 1, 1911 (commonly known as the "Weeks Law") (16 U.S.C. 480 et seq.); and

(B) any other laws (including regulations) applicable to National Forest System land.

(c) **DUTIES OF SECRETARY**.—In exercising any discretion necessary to carry out this Act, the Secretary shall ensure that the public interest is well served.

The committee amendment in the nature of a substitute was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 482), as amended, was read the third time and passed.

HOLLOMAN AIR FORCE BASE LAND EXCHANGE ACT

The Senate proceeded to consider the bill (H.R. 486) to provide for a land exchange involving private land and Bureau of Land Management land in the vicinity of Holloman Air Force Base, New Mexico, for the purpose of removing private land from the required safety zone surrounding munitions storage bunkers at Holloman Air Force Base, and for other purposes, which had been reported from the Committee on Energy and Natural Resources, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Holloman Air Force Base Land Exchange Act".

SEC. 2. DEFINITIONS.

In this Act:

(1) **FEDERAL LAND**.—The term "Federal land" means the land administered by the Secretary consisting of a total of approximately 320 acres, as depicted on the map.

(2) **MAP**.—The term "map" means the map entitled "Holloman AFB Land Exchange" and dated May 19, 2006.

(3) **NON-FEDERAL LAND**.—The term "non-Federal land" means the parcel consisting of a total of approximately 241 acres of land, as depicted on the map, that is—

(A) contiguous to Holloman Air Force Base, New Mexico; and

(B) located within the required safety zone surrounding munitions storage bunkers at the installation.

(4) **OWNER**.—The term "owner" means an owner that is able to convey to the United States clear title to the non-Federal land.

(5) **SECRETARY**.—The term "Secretary" means the Secretary of the Interior.

SEC. 3. LAND EXCHANGE.

(a) **IN GENERAL**.—If the owner submits to the Secretary a request to exchange the non-Federal land for the Federal land or a portion of the Federal land, the Secretary shall convey to the owner all right, title, and interest of the United States in and to the Federal land or the applicable portion of the Federal land.

(b) **CONSIDERATION**.—As consideration for the conveyance of the Federal land under subsection (a), the owner shall convey to the United States all right, title, and interest of the owner in and to the non-Federal land.

(c) **ADDITION TO MILITARY RESERVATION**.—On acquisition of the non-Federal land by the Secretary, the Secretary shall—

(1) assume jurisdiction over the non-Federal land; and

(2) amend the withdrawal for the Holloman Air Force Base to include the non-Federal land.

(d) **INTERESTS INCLUDED IN EXCHANGE**.—Subject to valid existing rights, the land exchange under this Act shall include the conveyance of all surface, subsurface, mineral, and water rights to the Federal land and non-Federal land exchanged.

(e) **COMPLIANCE WITH FEDERAL LAND POLICY AND MANAGEMENT ACT**.—

(1) **IN GENERAL**.—Except as provided in paragraph (2), the Secretary shall carry out the land exchange under this section in accordance with section 206 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716).

(2) **CASH EQUALIZATION**.—Notwithstanding section 206(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(b)), a cash equalization payment may be made in excess of 25 percent of the appraised value of the Federal land.

(f) **NO AMENDMENT TO MANAGEMENT PLAN REQUIRED**.—The exchange of Federal land and non-Federal land shall not require an amendment to the White Sands Resource Management Plan.

(g) **DISPOSITION AND USE OF PROCEEDS**.—

(1) **DISPOSITION OF PROCEEDS**.—The Secretary shall deposit any cash equalization payments received under this Act in the Federal Land Disposal Account established under section 206(a) of the Federal Land Transaction Facilitation Act (43 U.S.C. 2305(a)).

(2) **USE OF PROCEEDS**.—Amounts deposited under paragraph (1) shall be expended in accordance with section 206(c) of the Federal Land Transaction Facilitation Act (43 U.S.C. 2305(c)).

(h) **ADDITIONAL TERMS AND CONDITIONS**.—The Secretary may require any additional terms and conditions for the land exchange that the Secretary considers to be appropriate to protect the interests of the United States.

The committee amendment in the nature of a substitute was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 486), as amended, was read the third time and passed.

RIVER RAISIN NATIONAL BATTLEFIELD STUDY ACT

The bill (H.R. 5132), to direct the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of including in the National Park System certain sites in Monroe County, Michigan, relating to the Battles of the River Raisin during the War of 1812, was considered, ordered to a third reading, read the third time, and passed.

CAPTAIN JOHN SMITH CHESAPEAKE NATIONAL HISTORIC TRAIL DESIGNATION ACT

The bill (H.R. 5466) to amend the National Trails System Act to designate the Captain John Smith Chesapeake National Historic Trail, was considered, ordered to a third reading, read the third time, and passed.

BLUNT RESERVOIR AND PIERRE CANAL LAND CONVEYANCE ACT OF 2006

The Senate proceeded to consider the bill (S. 2205) to direct the Secretary of the Interior to convey certain parcels of land acquired for the Blunt Reservoir and Pierre Canal features of the initial stage of the Oahe Unit, James Division, South Dakota, to the Commission of Schools and Public Lands and the Department of Game, Fish, and Parks of the State of South Dakota for the purpose of mitigating lost wildlife habitat, on the condition that the current preferential leaseholders shall have an option to purchase the parcels from the Commission, and for other purposes.

The amendment (No. 5229) was agreed to, as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Blunt Reservoir and Pierre Canal Land Conveyance Act of 2006".

SEC. 2. BLUNT RESERVOIR AND PIERRE CANAL.

(a) DEFINITIONS.—In this section:

(1) **BLUNT RESERVOIR FEATURE.**—The term "Blunt Reservoir feature" means the Blunt Reservoir feature of the Oahe Unit, James Division, authorized by the Act of August 3, 1968 (82 Stat. 624), as part of the Pick-Sloan Missouri River Basin program.

(2) **COMMISSION.**—The term "Commission" means the Commission of Schools and Public Lands of the State.

(3) **NONPREFERENTIAL LEASE PARCEL.**—The term "nonpreferential lease parcel" means a parcel of land that—

(A) was purchased by the Secretary for use in connection with the Blunt Reservoir feature or the Pierre Canal feature; and

(B) was considered to be a nonpreferential lease parcel by the Secretary as of January

1, 2001, and is reflected as such on the roster of leases of the Bureau of Reclamation for 2001.

(4) **PIERRE CANAL FEATURE.**—The term "Pierre Canal feature" means the Pierre Canal feature of the Oahe Unit, James Division, authorized by the Act of August 3, 1968 (82 Stat. 624), as part of the Pick-Sloan Missouri River Basin program.

(5) **PREFERENTIAL LEASEHOLDER.**—The term "preferential leaseholder" means a person or descendant of a person that held a lease on a preferential lease parcel as of January 1, 2001, and is reflected as such on the roster of leases of the Bureau of Reclamation for 2001.

(6) **PREFERENTIAL LEASE PARCEL.**—The term "preferential lease parcel" means a parcel of land that—

(A) was purchased by the Secretary for use in connection with the Blunt Reservoir feature or the Pierre Canal feature; and

(B) was considered to be a preferential lease parcel by the Secretary as of January 1, 2001, and is reflected as such on the roster of leases of the Bureau of Reclamation for 2001.

(7) **SECRETARY.**—The term "Secretary" means the Secretary of the Interior, acting through the Commissioner of Reclamation.

(8) **STATE.**—The term "State" means the State of South Dakota, including a successor in interest of the State.

(9) **UNLEASED PARCEL.**—The term "unleased parcel" means a parcel of land that—

(A) was purchased by the Secretary for use in connection with the Blunt Reservoir feature or the Pierre Canal feature; and

(B) is not under lease as of the date of enactment of this Act.

(b) **DEAUTHORIZATION.**—The Blunt Reservoir feature is deauthorized.

(c) **ACCEPTANCE OF LAND AND OBLIGATIONS.**—

(1) **IN GENERAL.**—As a term of each conveyance under subsections (d)(5) and (e), respectively, the State may agree to accept—

(A) in "as is" condition, the portions of the Blunt Reservoir Feature and the Pierre Canal Feature that pass into State ownership;

(B) any liability accruing after the date of conveyance as a result of the ownership, operation, or maintenance of the features referred to in subparagraph (A), including liability associated with certain outstanding obligations associated with expired easements, or any other right granted in, on, over, or across either feature; and

(C) the responsibility that the Commission will act as the agent for the Secretary in administering the purchase option extended to preferential leaseholders under subsection (d).

(2) **RESPONSIBILITIES OF THE STATE.**—An outstanding obligation described in paragraph (1)(B) shall inure to the benefit of, and be binding upon, the State.

(3) **OIL, GAS, MINERAL AND OTHER OUTSTANDING RIGHTS.**—A conveyance to the State under subsection (d)(5) or (e) or a sale to a preferential leaseholder under subsection (d) shall be made subject to—

(A) oil, gas, and other mineral rights reserved of record, as of the date of enactment of this Act, by or in favor of a third party; and

(B) any permit, license, lease, right-of-use, or right-of-way of record in, on, over, or across a feature referred to in paragraph (1)(A) that is outstanding as to a third party as of the date of enactment of this Act.

(4) **ADDITIONAL CONDITIONS OF CONVEYANCE TO STATE.**—A conveyance to the State under subsection (d)(5) or (e) shall be subject to the reservations by the United States and the conditions specified in section 1 of the Act of May 19, 1948 (chapter 310; 62 Stat. 240), as amended (16 U.S.C. 667b), for the transfer of

property to State agencies for wildlife conservation purposes.

(d) **PURCHASE OPTION.**—

(1) **IN GENERAL.**—A preferential leaseholder shall have an option to purchase from the Secretary or the Commission, acting as an agent for the Secretary, the preferential lease parcel that is the subject of the lease.

(2) **TERMS.**—

(A) **IN GENERAL.**—Except as provided in subparagraph (B), a preferential leaseholder may elect to purchase a parcel on one of the following terms:

(i) Cash purchase for the amount that is equal to—

(I) the value of the parcel determined under paragraph (4); minus

(II) ten percent of that value.

(ii) Installment purchase, with 10 percent of the value of the parcel determined under paragraph (4) to be paid on the date of purchase and the remainder to be paid over not more than 30 years at 3 percent annual interest.

(B) **VALUE UNDER \$10,000.**—If the value of the parcel is under \$10,000, the purchase shall be made on a cash basis in accordance with subparagraph (A)(i).

(3) **OPTION EXERCISE PERIOD.**—

(A) **IN GENERAL.**—A preferential leaseholder shall have until the date that is 5 years after enactment of this Act to exercise the option under paragraph (1).

(B) **CONTINUATION OF LEASES.**—Until the date specified in subparagraph (A), a preferential leaseholder shall be entitled to continue to lease from the Secretary the parcel leased by the preferential leaseholder under the same terms and conditions as under the lease, as in effect as of the date of enactment of this Act.

(4) **VALUATION.**—

(A) **IN GENERAL.**—The value of a preferential lease parcel shall be its fair market value for agricultural purposes determined by an independent appraisal less 25 percent, exclusive of the value of private improvements made by the leaseholders while the land was federally owned before the date of the enactment of this Act, in conformance with the Uniform Appraisal Standards for Federal Land Acquisition.

(B) **FAIR MARKET VALUE.**—Any dispute over the fair market value of a property under subparagraph (A) shall be resolved in accordance with section 2201.4 of title 43, Code of Federal Regulations.

(5) **CONVEYANCE TO THE STATE.**—

(A) **IN GENERAL.**—If a preferential leaseholder fails to purchase a parcel within the period specified in paragraph (3)(A), the Secretary shall offer to convey the parcel to the State of South Dakota Department of Game, Fish, and Parks.

(B) **WILDLIFE HABITAT MITIGATION.**—Land conveyed under subparagraph (A) shall be used by the South Dakota Department of Game, Fish, and Parks for the purpose of mitigating the wildlife habitat that was lost as a result of the development of the Pick-Sloan project.

(6) **USE OF PROCEEDS.**—Proceeds of sales of land under this Act shall be deposited as miscellaneous funds in the Treasury and such funds shall be made available, subject to appropriations, to the State for the establishment of a trust fund to pay the county taxes on the lands received by the State Department of Game, Fish, and Parks under the bill.

(e) **CONVEYANCE OF NONPREFERENTIAL LEASE PARCELS AND UNLEASED PARCELS.**—

(1) **CONVEYANCE BY SECRETARY TO STATE.**—

(A) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Secretary shall offer to convey to the South Dakota Department of Game, Fish, and Parks the nonpreferential lease parcels and