

V. NATIONAL PRESERVES

1. Big Cypress

PUBLIC LAW 108-483—DEC. 23, 2004

118 STAT. 3919

Public Law 108-483  
108th Congress

An Act

To authorize the exchange of certain land in Everglades National Park.

Dec. 23, 2004  
[H.R. 3785]

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

Florida.

\* \* \* \* \*

**SEC. 2. BIG CYPRESS NATIONAL PRESERVE.**

Subsection (d)(3) of the first section of Public Law 93-440 (16 U.S.C. 698f) is amended by striking “The amount described in paragraph (1)” and inserting “The amount described in paragraph (2)”.

118 STAT. 3921

Approved December 23, 2004.

LEGISLATIVE HISTORY—H.R. 3785 (S. 2046):

HOUSE REPORTS: No. 108-516 (Comm. on Resources).

SENATE REPORTS: No. 108-298 accompanying S. 2046 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 150 (2004):

July 19, considered and passed House.

Dec. 8, considered and passed Senate.

**2. Mojave**

117 STAT. 11

PUBLIC LAW 108-7—FEB. 20, 2003

Public Law 108-7  
108th Congress**Joint Resolution**Feb. 20, 2003  
[H.J. Res. 2]Making consolidated appropriations for the fiscal year ending September 30, 2003,  
and for other purposes.Consolidated  
Appropriations  
Resolution, 2003.*Resolved by the Senate and House of Representatives of the  
United States of America in Congress assembled,***SECTION 1. SHORT TITLE.**This joint resolution may be cited as the “Consolidated Approp-  
riations Resolution, 2003”.

\* \* \* \* \*

117 STAT. 12  
1 USC 1 note.**SEC. 3. REFERENCES.**Except as expressly provided otherwise, any reference to “this  
Act” contained in any division of this joint resolution shall be  
treated as referring only to the provisions of that division.

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117 STAT. 216  
Department of  
the Interior and  
Related Agencies  
Appropriations  
Act, 2003.**DIVISION F—INTERIOR AND RELATED AGENCIES  
APPROPRIATIONS, 2003****JOINT RESOLUTION**Making appropriations for the Department of the Interior and related agencies  
for the fiscal year ending September 30, 2003, and for other purposes.That the following sums are appropriated, out of any money in  
the Treasury not otherwise appropriated, for the Department of  
the Interior and related agencies for the fiscal year ending Sep-  
tember 30, 2003, and for other purposes, namely:

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117 STAT. 270

**TITLE III—GENERAL PROVISIONS**

\* \* \* \* \*

117 STAT. 276

**SEC. 328.** A grazing permit or lease issued by the Secretary  
of the Interior or a grazing permit issued by the Secretary of  
Agriculture where National Forest System lands are involved that  
expires, is transferred, or waived during fiscal year 2003 shall  
be renewed under section 402 of the Federal Land Policy and  
Management Act of 1976, as amended (43 U.S.C. 1752), section  
19 of the Granger-Thye Act, as amended (16 U.S.C. 5801), title  
III of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1010 et  
seq.), or, if applicable, section 510 of the California Desert Protection  
Act (16 U.S.C. 410aaa-50). The terms and conditions contained  
in the expired, transferred, or waived permit or lease shall continue  
in effect under the renewed permit or lease until such time as  
the Secretary of the Interior or Secretary of Agriculture as appro-  
priate completes processing of such permit or lease in compliance

## PUBLIC LAW 108-7—FEB. 20, 2003

117 STAT. 276

with all applicable laws and regulations, at which time such permit or lease may be canceled, suspended or modified, in whole or in part, to meet the requirements of such applicable laws and regulations. Nothing in this section shall be deemed to alter the statutory authority of the Secretary of the Interior or the Secretary of Agriculture: *Provided*, That where National Forest System lands are involved and the Secretary of Agriculture has renewed an expired or waived grazing permit prior to or during fiscal year 2003 under the authority of section 504 of the Rescissions Act of 1995 (Public Law 104-19), the terms and conditions of the renewed grazing permit shall remain in effect until such time as the Secretary of Agriculture completes processing of the renewed permit in compliance with all applicable laws and regulations or until the expiration of the renewed permit, whichever comes first. Upon completion of the processing, the permit may be canceled, suspended or modified, in whole or in part, to meet the requirements of applicable laws and regulations. Nothing in this section shall be deemed to alter the Secretary of Agriculture's statutory authority.

117 STAT. 277

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Approved February 20, 2003.

117 STAT. 554

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LEGISLATIVE HISTORY—H.J. Res. 2:

HOUSE REPORTS: No. 108-10 (Comm. of Conference).  
CONGRESSIONAL RECORD, Vol. 149 (2003):

Jan. 8, considered and passed House.

Jan. 15-17, 21-23, considered and passed Senate, amended.

Feb. 13, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 39 (2003):

Feb. 20, Presidential statements.

117 STAT. 1054

PUBLIC LAW 108–87—SEPT. 30, 2003

Public Law 108–87  
108th Congress

An Act

Sept. 30, 2003  
[H.R. 2658]

Making appropriations for the Department of Defense for the fiscal year ending September 30, 2004, and for other purposes.

Department of  
Defense  
Appropriations  
Act, 2004.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2004, for military functions administered by the Department of Defense, and for other purposes, namely:

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117 STAT. 1071

TITLE VIII

GENERAL PROVISIONS

\* \* \* \* \*

117 STAT. 1100  
16 USC  
410aaa–56 note,  
431 note.

SEC. 8121. (a) EXCHANGE REQUIRED.—In exchange for the private property described in subsection (b), the Secretary of the Interior shall convey to the Veterans Home of California—Barstow, Veterans of Foreign Wars Post #385E (in this section referred to as the “recipient”), all right, title, and interest of the United States in and to a parcel of real property consisting of approximately one acre in the Mojave National Preserve and designated (by section 8137 of the Department of Defense Appropriations Act, 2002 (Public Law 107–117; 115 Stat. 2278)) as a national memorial commemorating United States participation in World War I and honoring the American veterans of that war. Notwithstanding the conveyance of the property under this subsection, the Secretary shall continue to carry out the responsibilities of the Secretary under such section 8137.

(b) CONSIDERATION.—As consideration for the property to be conveyed by the Secretary under subsection (a), Mr. and Mrs. Henry Sandoz of Mountain Pass, California, have agreed to convey to the Secretary a parcel of real property consisting of approximately five acres, identified as parcel APN 569–051–44, and located in the west  $\frac{1}{2}$  of the northeast  $\frac{1}{4}$  of the northwest  $\frac{1}{4}$  of the northwest  $\frac{1}{4}$  of section 11, township 14 north, range 15 east, San Bernardino base and meridian.

(c) EQUAL VALUE EXCHANGE; APPRAISAL.—The values of the properties to be exchanged under this section shall be equal or equalized as provided in subsection (d). The value of the properties shall be determined through an appraisal performed by a qualified appraiser in conformance with the Uniform Appraisal Standards for Federal Land Acquisitions (Department of Justice, December 2000).

(d) CASH EQUALIZATION.—Any difference in the value of the properties to be exchanged under this section shall be equalized through the making of a cash equalization payment. The Secretary shall deposit any cash equalization payment received by the Secretary under this subsection in the Land and Water Conservation Fund.

## PUBLIC LAW 108–87—SEPT. 30, 2003

117 STAT. 1100

(e) REVERSIONARY CLAUSE.—The conveyance under subsection (a) shall be subject to the condition that the recipient maintain the conveyed property as a memorial commemorating United States participation in World War I and honoring the American veterans of that war. If the Secretary determines that the conveyed property is no longer being maintained as a war memorial, the property shall revert to the ownership of the United States.

(f) BOUNDARY ADJUSTMENT; ADMINISTRATION OF ACQUIRED LAND.—The boundaries of the Mojave National Preserve shall be adjusted to reflect the land exchange required by this section. The property acquired by the Secretary under this section shall become part of the Mojave National Preserve and be administered in accordance with the laws, rules, and regulations generally applicable to the Mojave National Preserve.

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This Act may be cited as the “Department of Defense Appropriations Act, 2004”. 117 STAT. 1109

Approved September 30, 2003.

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LEGISLATIVE HISTORY—H.R. 2658 (S. 1382):

HOUSE REPORTS: Nos. 108–187 (Comm. on Appropriations) and 108–283 (Comm. of Conference).

SENATE REPORTS: No. 108–87 accompanying S. 1382 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 149 (2003):

July 8, considered and passed House.

July 14–17, considered and passed Senate, amended.

Sept. 24, House agreed to conference report.

Sept. 25, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 39 (2003):

Sept. 30, Presidential statement.

117 STAT. 1241

PUBLIC LAW 108-108—NOV. 10, 2003

Public Law 108-108  
108th Congress

An Act

Nov. 10, 2003  
[H.R. 2691]

Making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2004, and for other purposes.

Department of the Interior and Related Agencies Appropriations Act, 2004.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2004, and for other purposes, namely:

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117 STAT. 1302

TITLE III—GENERAL PROVISIONS

\* \* \* \* \*

117 STAT. 1308

SEC. 325. A grazing permit or lease issued by the Secretary of the Interior or a grazing permit issued by the Secretary of Agriculture where National Forest System lands are involved that expires, is transferred, or waived during fiscal years 2004-2008 shall be renewed under section 402 of the Federal Land Policy and Management Act of 1976, as amended (43 U.S.C. 1752), section 19 of the Granger-Thye Act, as amended (16 U.S.C. 5801), title III of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1010 et seq.), or, if applicable, section 510 of the California Desert Protection Act (16 U.S.C. 410aaa-50). The terms and conditions contained in the expired, transferred, or waived permit or lease shall continue in effect under the renewed permit or lease until such time as the Secretary of the Interior or Secretary of Agriculture as appropriate completes processing of such permit or lease in compliance with all applicable laws and regulations, at which time such permit or lease may be canceled, suspended or modified, in whole or in part, to meet the requirements of such applicable laws and regulations. Nothing in this section shall be deemed to alter the statutory authority of the Secretary of the Interior or the Secretary of Agriculture: *Provided*, That where National Forest System lands are involved and the Secretary of Agriculture has renewed an expired or waived grazing permit prior to fiscal year 2004, the terms and conditions of the renewed grazing permit shall remain in effect until such time as the Secretary of Agriculture completes processing of the renewed permit in compliance with all applicable laws and regulations or until the expiration of the renewed permit, whichever comes first. Upon completion of the processing, the permit may be canceled, suspended or modified, in whole or in part, to meet the requirements of applicable laws and regulations: *Provided further*, That beginning in November 2004, and every year thereafter, the Secretaries of the Interior and Agriculture shall report to Congress the extent to which they are completing analysis required under applicable laws prior to the expiration of grazing permits, and beginning in May 2004, and every two years thereafter, the Secretaries shall provide Congress recommendations for legislative provisions necessary to ensure all permit renewals are completed in a timely manner. The legislative recommendations provided shall be consistent with the funding

Deadline. Reports. 43 USC 1752 note.

PUBLIC LAW 108–108—NOV. 10, 2003

117 STAT. 1308

levels requested in the Secretaries' budget proposals: *Provided further*, That notwithstanding section 504 of the Rescissions Act (109 Stat. 212), the Secretaries in their sole discretion determine the priority and timing for completing required environmental analysis of grazing allotments based on the environmental significance of the allotments and funding available to the Secretaries for this purpose: *Provided further*, That any Federal lands included within the boundary of Lake Roosevelt National Recreation Area, as designated by the Secretary of the Interior on April 5, 1990 (Lake Roosevelt Cooperative Management Agreement), that were utilized as of March 31, 1997, for grazing purposes pursuant to a permit issued by the National Park Service, the person or persons so utilizing such lands as of March 31, 1997, shall be entitled to renew said permit under such terms and conditions as the Secretary may prescribe, for the lifetime of the permittee or 20 years, whichever is less.

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This Act may be cited as the “Department of the Interior and Related Agencies Appropriations Act, 2004”. 117 STAT. 1321

Approved November 10, 2003.

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**LEGISLATIVE HISTORY—H.R. 2691 (S. 1391):**

HOUSE REPORTS: Nos. 108–195 (Comm. on Appropriations) and 108–330 (Comm. of Conference).

SENATE REPORTS: No. 108–89 accompanying S. 1391 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 149 (2003):

July 16, 17, considered and passed House.

Sept. 17, 18, 22, 23, considered and passed Senate, amended.

Oct. 30, House agreed to conference report.

Nov. 3, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 39 (2003):

Nov. 10, Presidential statement.

118 STAT. 2809

PUBLIC LAW 108–447—DEC. 8, 2004

Public Law 108–447  
108th Congress

An Act

Dec. 8, 2004  
[H.R. 4818]

Making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2005, and for other purposes.

Consolidated  
Appropriations  
Act, 2005.

*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 “Consolidated Appropriations Act, 2005”.

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118 STAT. 2810  
1 USC 1 note.

**SEC. 3. REFERENCES.**

Except as expressly provided otherwise, any reference to “this Act” contained in any division of this Act shall be treated as referring only to the provisions of that division.

**SEC. 4. STATEMENT OF APPROPRIATIONS.**

The following sums in this Act are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2005.

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118 STAT. 3039  
Department of  
the Interior and  
Related Agencies  
Appropriations  
Act, 2005.

**DIVISION E—DEPARTMENT OF THE INTERIOR AND  
RELATED AGENCIES APPROPRIATIONS ACT, 2005**

**TITLE I—DEPARTMENT OF THE INTERIOR**

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118 STAT. 3062

**GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR**

\* \* \* \* \*

118 STAT. 3070

**SEC. 141.** Upon the request of the permittee for the Clark Mountain Allotment lands adjacent to the Mojave National Preserve, the Secretary shall also issue a special use permit for that portion of the grazing allotment located within the Preserve. The special use permit shall be issued with the same terms and conditions as the most recently-issued permit for that allotment and the Secretary shall consider the permit to be one transferred in accordance with section 325 of Public Law 108–108.

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118 STAT. 3466

Approved December 8, 2004.

**LEGISLATIVE HISTORY—H.R. 4818 (S. 2812):**

HOUSE REPORTS: Nos. 108–599 (Comm. on Appropriations) and 108–792 (Comm. of Conference).

SENATE REPORTS: No. 108–346 accompanying S. 2812 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 150 (2004):

July 13, 15, considered and passed House.

Sept. 23, considered and passed Senate, amended, in lieu of S. 2812.

Nov. 20, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 40 (2004):

Dec. 8, Presidential statement.



**3. Tallgrass Prairie**

PUBLIC LAW 108-352—OCT. 21, 2004

118 STAT. 1395

Public Law 108-352  
108th Congress

**An Act**

To make technical corrections to laws relating to certain units of the National Park System and to National Park programs.

Oct. 21, 2004  
[S. 2178]

*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 “National Park System Laws Technical Amendments Act of 2004”.

National Park System Laws Technical Amendments Act of 2004.  
16 USC 1 note.

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**SEC. 17. TALLGRASS PRAIRIE NATIONAL PRESERVE.**

118 STAT. 1398

Section 1006(b) of division I of the Omnibus Parks and Public Lands Management Act of 1996 (110 Stat. 4208) is amended by striking “subsection (a)(1)” and inserting “subsection (a)”.

16 USC 698u-4.

Approved October 21, 2004.

**LEGISLATIVE HISTORY—S. 2178:**

SENATE REPORTS: No. 108-239 (Comm. on Energy and Natural Resources).  
CONGRESSIONAL RECORD, Vol. 150 (2004):  
May 19, considered and passed Senate.  
Oct. 6, considered and passed House.

#### 4. Timucuan Ecological and Historic

118 STAT. 1214

PUBLIC LAW 108–321—OCT. 5, 2004

Public Law 108–321  
108th Congress

#### An Act

Oct. 5, 2004  
[H.R. 3768]

To expand the Timucuan Ecological and Historic Preserve, Florida.

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

Timucuan  
Ecological and  
Historic Preserve  
Boundary  
Revision Act of  
2004.  
16 USC 698n  
note.

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Timucuan Ecological and Historic Preserve Boundary Revision Act of 2004”.

#### SEC. 2. REVISION OF BOUNDARY OF TIMUCUAN ECOLOGICAL AND HISTORIC PRESERVE, FLORIDA.

Section 201(a) of Public Law 100–249 (16 U.S.C. 698n) is amended—

(1) by striking “(a) ESTABLISHMENT.—There is hereby” and inserting the following:

“(a) ESTABLISHMENT.—

“(1) IN GENERAL.—There is”; and

(2) by adding at the end the following:

“(2) MODIFICATION OF BOUNDARY.—

“(A) IN GENERAL.—In addition to the land described in paragraph (1), the Preserve shall include approximately 8.5 acres of land located in Nassau County, Florida, as generally depicted on the map entitled ‘Timucuan Ecological and Historic Preserve American Beach Adjustment’, numbered 006/80012 and dated June 2003.

“(B) DUTIES OF SECRETARY.—The Secretary of the Interior shall—

“(i) revise the boundaries of the Preserve so as to encompass the land described in subparagraph (A); and

“(ii) maintain the map described in subparagraph (A) on file and available for public inspection in the appropriate offices of the National Park Service.”.

118 STAT. 1215

Approved October 5, 2004.

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#### LEGISLATIVE HISTORY—H.R. 3768:

HOUSE REPORTS: No. 108–493 (Comm. on Resources).

SENATE REPORTS: No. 108–333 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 150 (2004):

May 17, considered and passed House.

Sept. 15, considered and passed Senate.