

CONGRESSIONAL RECORD -- *Senate*

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103rd Congress 2nd Session

140 Cong Rec S 4171

REFERENCE: Vol. 140 No. 38

TITLE: BENNETT AMENDMENT NO. 1623

SPEAKER: MR. BENNETT

TEXT:

[*S4171]

Mr. BENNETT proposed an amendment to the bill S. 21, *supra*; as follows:

At the end of the bill insert the following new section 902:

[*S4172] "SEC. 902. AUTHORITY TO DESIGNATE AREAS.

(a) The designation of Joshua Tree National Park, Mojave National Park, the expansion and designation of Death Valley National Park, and the designation of any area as **Wilderness** or its retention under this Act, together with any other provisions of this Act or any other Act, to the extent they are applicable to each such area as a result of the passage of this Act, shall not take effect until the Secretary has acquired not less than 90 percent of the private lands within the exterior boundaries of such area (referred to as "inholding" for the purpose of this section) and has placed a notice in the federal register to that effect. If, subsequent to having received notification as provided under subsection (b), any owner notifies the Secretary in writing that he does not wish to be acquired his land shall not be considered to be an inholding for the purposes of this section. If acquisition and notice has not been made within ten years from the date of enactment of this Act with respect to any of the areas referred to in this section, the designation of such area and the application of any other provisions of this Act or any other Act, to the extent they are applicable as a result of the designation of the area by this Act, to such area shall expire and such area shall be administered thereafter under the laws applicable to such area in the absence of this legislation.

(b) As soon as practicable after the date of enactment of this Act, the Secretary shall ascertain the ownership of each inholding and shall notify the owner thereof in writing of the passage of this Act and the effect of the proposed designation on continued use of such parcel, including, but not limited to, any limitations or restrictions on access to such parcel across federal lands. The notice shall be specific and detailed with respect to any limitations or restrictions which the Secretary would impose or enforce upon the formal designation of the area, including, but not limited to, construction of facilities or the operation of the inholding for commercial activities.