

(B) Four members shall be appointed, one each from paragraphs (1), (2), (3), and (4) of subsection (c) of this section, to serve for a term of 4 years.

(C) Five members shall be appointed, one each from paragraphs (1) through (5) of subsection (c) of this section, to serve for a term of 5 years.

(2) Reappointment

Each member may be reappointed to serve a subsequent term.

(3) Expiration

Each member shall continue to serve after the expiration of the term of the member until a successor is appointed.

(4) Vacancies

A vacancy on the Advisory Committee shall be filled in the same manner as an original appointment is made. The member appointed to fill the vacancy shall serve until the expiration of the term in which the vacancy occurred.

(e) Chairperson

The members of the Advisory Committee shall select 1 of the members to serve as Chairperson.

(f) Meetings

Meetings of the Advisory Committee shall be held at the call of the Chairperson or the majority of the Advisory Committee. Meetings shall be held at such locations and in such a manner as to ensure adequate opportunity for public involvement. In compliance with the requirements of the Federal Advisory Committee Act (5 U.S.C. App.), the Advisory Committee shall choose an appropriate means of providing interested members of the public advance notice of scheduled meetings.

(g) Quorum

A majority of the members of the Advisory Committee shall constitute a quorum.

(h) Compensation

Each member of the Advisory Committee shall serve without compensation, except that while engaged in official business of the Advisory Committee, the member shall be entitled to travel expenses, including per diem in lieu of subsistence in the same manner as persons employed intermittently in Government service under section 5703 of title 5.

(i) Charter

The rechartering provisions of section 14(b) of the Federal Advisory Committee Act (15¹ U.S.C. App.) shall not apply to the Advisory Committee.

(Pub. L. 104-333, div. I, title X, §1007, Nov. 12, 1996, 110 Stat. 4208; Pub. L. 105-244, title I, §102(a)(4), Oct. 7, 1998, 112 Stat. 1618.)

REFERENCES IN TEXT

The Federal Advisory Committee Act, referred to in subsec. (f), is Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, as amended, which is set out in the Appendix to Title 5, Government Organization and Employees.

AMENDMENTS

1998—Subsec. (c)(5). Pub. L. 105-244 substituted “section 1001 of title 20” for “section 1141(a) of title 20”.

¹ So in original. Probably should be “5”.

EFFECTIVE DATE OF 1998 AMENDMENT

Amendment by Pub. L. 105-244 effective Oct. 1, 1998, except as otherwise provided in Pub. L. 105-244, see section 3 of Pub. L. 105-244, set out as a note under section 1001 of Title 20, Education.

TERMINATION OF ADVISORY COMMITTEES

Advisory committees established after Jan. 5, 1973, to terminate not later than the expiration of the 2-year period beginning on the date of their establishment, unless, in the case of a committee established by the President or an officer of the Federal Government, such committee is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a committee established by the Congress, its duration is otherwise provided for by law. See section 14 of Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 776, set out in the Appendix to Title 5, Government Organization and Employees.

§ 698u-6. Restriction on authority

Nothing in sections 698u to 698u-7 of this title shall give the Secretary authority to regulate lands outside the land area acquired by the Secretary under section 698u-4(a) of this title.

(Pub. L. 104-333, div. I, title X, §1008, Nov. 12, 1996, 110 Stat. 4209.)

§ 698u-7. Authorization of appropriations

There are authorized to be appropriated to the Department of the Interior such sums as are necessary to carry out sections 698u to 698u-7 of this title.

(Pub. L. 104-333, div. I, title X, §1009, Nov. 12, 1996, 110 Stat. 4209.)

§ 698v. Findings and purposes

(a) Findings

Congress finds that—

(1) the Baca ranch comprises most of the Valles Caldera in central New Mexico, and constitutes a unique land mass, with significant scientific, cultural, historic, recreational, ecological, wildlife, fisheries, and productive values;

(2) the Valles Caldera is a large resurgent lava dome with potential geothermal activity;

(3) the land comprising the Baca ranch was originally granted to the heirs of Don Luis Maria Cabeza de Vaca in 1860;

(4) historical evidence, in the form of old logging camps and other artifacts, and the history of territorial New Mexico indicate the importance of this land over many generations for domesticated livestock production and timber supply;

(5) the careful husbandry of the Baca ranch by the current owners, including selective timbering, limited grazing and hunting, and the use of prescribed fire, have preserved a mix of healthy range and timber land with significant species diversity, thereby serving as a model for sustainable land development and use;

(6) the Baca ranch's natural beauty and abundant resources, and its proximity to large municipal populations, could provide numerous recreational opportunities for hiking, fishing, camping, cross-country skiing, and hunting;

(7) the Forest Service documented the scenic and natural values of the Baca ranch in its 1993 study entitled “Report on the Study of the Baca Location No. 1, Santa Fe National Forest, New Mexico”, as directed by Public Law 101-556;

(8) the Baca ranch can be protected for current and future generations by continued operation as a working ranch under a unique management regime which would protect the land and resource values of the property and surrounding ecosystem while allowing and providing for the ranch to eventually become financially self-sustaining;

(9) the current owners have indicated that they wish to sell the Baca ranch, creating an opportunity for Federal acquisition and public access and enjoyment of these lands;

(10) certain features on the Baca ranch have historical and religious significance to Native Americans which can be preserved and protected through Federal acquisition of the property;

(11) the unique nature of the Valles Caldera and the potential uses of its resources with different resulting impacts warrants a management regime uniquely capable of developing an operational program for appropriate preservation and development of the land and resources of the Baca ranch in the interest of the public;

(12) an experimental management regime should be provided by the establishment of a Trust capable of using new methods of public land management that may prove to be cost-effective and environmentally sensitive; and

(13) the Secretary may promote more efficient management of the Valles Caldera and the watershed of the Santa Clara Creek through the assignment of purchase rights of such watershed to the Pueblo of Santa Clara.

(b) Purposes

The purposes of sections 698v to 698v-10 of this title are—

(1) to authorize Federal acquisition of the Baca ranch;

(2) to protect and preserve for future generations the scientific, scenic, historic, and natural values of the Baca ranch, including rivers and ecosystems and archaeological, geological, and cultural resources;

(3) to provide opportunities for public recreation;

(4) to establish a demonstration area for an experimental management regime adapted to this unique property which incorporates elements of public and private administration in order to promote long term financial sustainability consistent with the other purposes enumerated in this subsection; and

(5) to provide for sustained yield management of Baca ranch for timber production and domesticated livestock grazing insofar as is consistent with the other purposes stated herein.

(Pub. L. 106-248, title I, §102, July 25, 2000, 114 Stat. 598.)

REFERENCES IN TEXT

Pub. L. 101-556, referred to in subsec. (a)(7), is Pub. L. 101-556, Nov. 15, 1990, 104 Stat. 2762, which is not classified to the Code.

SHORT TITLE OF 2005 AMENDMENT

Pub. L. 109-132, §1, Dec. 20, 2005, 119 Stat. 2570, provided that: “This Act [amending sections 698v-2 and 698v-4 to 698v-6 of this title] may be cited as the ‘Valles Caldera Preservation Act of 2005.’”

SHORT TITLE

Pub. L. 106-248, title I, §101, July 25, 2000, 114 Stat. 598, provided that: “This title [enacting this section and sections 698v-1 to 698v-10 of this title] may be cited as the ‘Valles Caldera Preservation Act.’”

§ 698v-1. Definitions

In sections 698v to 698v-10 of this title:

(1) Baca ranch

The term “Baca ranch” means the lands and facilities described in section 698v-2(a) of this title.

(2) Board of Trustees

The terms “Board of Trustees” and “Board” mean the Board of Trustees as described in section 698v-5 of this title.

(3) Committees of Congress

The term “Committees of Congress” means the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives.

(4) Financially self-sustaining

The term “financially self-sustaining” means management and operating expenditures equal to or less than proceeds derived from fees and other receipts for resource use and development and interest on invested funds. Management and operating expenditures shall include Trustee expenses, salaries and benefits of staff, administrative and operating expenses, improvements to and maintenance of lands and facilities of the Preserve, and other similar expenses. Funds appropriated to the Trust by Congress, either directly or through the Secretary, for the purposes of sections 698v to 698v-10 of this title shall not be considered.

(5) Multiple use and sustained yield

The term “multiple use and sustained yield” has the combined meaning of the terms “multiple use” and “sustained yield of the several products and services”, as defined under the Multiple-Use Sustained-Yield Act of 1960 (16 U.S.C. 531).

(6) Preserve

The term “Preserve” means the Valles Caldera National Preserve established under section 698v-3 of this title.

(7) Secretary

Except where otherwise provided, the term “Secretary” means the Secretary of Agriculture.

(8) Trust

The term “Trust” means the Valles Caldera Trust established under section 698v-4 of this title.

(Pub. L. 106-248, title I, §103, July 25, 2000, 114 Stat. 599.)

REFERENCES IN TEXT

The Multiple-Use Sustained-Yield Act of 1960, referred to in par. (5), is Pub. L. 86-517, June 12, 1960, 74