

which lie within, or in proximity to, the Handies Peak or Red Cloud Peak Wilderness Study Areas or the Alpine Loop Backcountry Bi-way in Hinsdale County, Colorado, the Secretary of the Interior shall convey to Lake City Ranches, Ltd., a Texas limited partnership (in this section referred to as "LCR"), approximately 560 acres of selected land located in the same county and generally depicted on a map entitled "Larson and Friends Creek Exchange", dated June 1996. The exchange shall be contingent upon LCR granting the Secretary a permanent conservation easement on the approximate 440 acre Larson Creek portion of the selected lands (as depicted on the map) which limits future use of such lands to agricultural, wildlife, recreational, or open space purposes. The exchange shall also be subject to the standard appraisal requirements and equalization payment limitations set forth in section 206 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716), and to reviews and approvals relating to threatened species and endangered species, cultural and historic resources, and hazardous materials under other Federal laws. The costs of such appraisals and reviews shall be paid by LCR. The Secretary may credit such payments against the value of the selected land, if appropriate, pursuant to section 206(f) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(f)).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah [Mr. HANSEN] and the gentleman from American Samoa [Mr. FALEOMAVAEGA] each will control 20 minutes.

The Chair recognizes the gentleman from Utah [Mr. HANSEN].

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

Mr. Speaker, H.R. 951 is a bill introduced by my colleague, the gentleman from Colorado [Mr. MCINNIS]. Because of the outstanding effort of the gentleman from Colorado, this bill is agreeable to the administration, to the environmental community, and to the private property owners.

I would also like to commend another colleague, the gentleman from Texas [Mr. THORNBERRY], who has added his support to this bill.

H.R. 951 requires the Secretary of the Interior to exchange approximately 560 acres of Federal land located in Colorado to Lake City Ranches, Ltd. This land is currently managed by the Bureau of Land Management. In return, the U.S. Government will receive inholdings within the proposed Handies Peak or Red Cloud Wilderness Areas, or along the Alpine Loop Backcountry Bi-way. The BLM is also granted a permanent conservation easement on 440 acres of the lands conveyed to be used for agricultural, wildlife, recreation, or open space purposes.

Mr. Speaker, this bill has very wide community support and I urge my colleagues' support of H.R. 951.

Mr. Speaker, I reserve the balance of my time.

Mr. FALEOMAVAEGA. Mr. Speaker, I yield myself such time as I may consume, and again I commend the gentleman from Colorado for his sponsorship of this legislation.

Mr. Speaker, H.R. 951 provides for the exchange of certain public lands in

Hinsdale County in the State of Colorado for private lands that are located within or in proximity to several wilderness study areas and a backcountry bi-way. The bill provides that the exchange be of equal value. In addition, as a condition of the exchange, the private landowner will keep approximately 440 of the 560 acres under a conservation easement.

The exchange is supported by the local community, by the environmental groups, and the administration. I am unaware of any controversy associated with the bill and certainly will support this legislation and urge my colleagues to do the same.

Mr. HANSEN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. FALEOMAVAEGA. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah [Mr. HANSEN] that the House suspend the rules and pass the bill, H.R. 951.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

VALIDATING CERTAIN LAND CONVEYANCES IN THE CITY OF TULARE, CA

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 960) to validate certain conveyances in the city of Tulare, Tulare County, CA, and for other purposes, as amended.

The Clerk read as follows:

H.R. 960

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

SECTION 1. FINDINGS.

The Congress finds that:

(1) It is in the Federal Government's interest to facilitate local development of jobs in areas of high unemployment.

(2) Railroad interests in rights-of-way prevent local communities from obtaining clear title to property for development unless the city also obtains the Federal revisionary interest in those rights-of-way.

(3) For development purposes, in order to secure needed financing, the City of Tulare Redevelopment Agency requires clear title to certain parcels of and within the city's business corridor that are part of a railroad right-of-way.

SEC. 2. TULARE CONVEYANCE.

(a) IN GENERAL.—Subject to subsections (c) and (d), all conveyances to the Redevelopment Agency of the City of Tulare, California, of lands described in subsection (b), heretofore or hereafter, made directly by the Southern Pacific Transportation Company, or its successors, are hereby validated to the extent that the conveyances would be legal or valid if all rights, title, and interest of the United States, except minerals, were held by the Southern Pacific Transportation Company.

(b) LANDS DESCRIBED.—The lands referred to in subsection (a) are the parcels shown on

the map entitled "Tulare Redevelopment Agency-Railroad Parcels Proposed to be Acquired", dated 5/29/97, that formed part of a railroad right-of-way granted to the Southern Pacific Railroad Company, or its successors, agents, or assigns, by the Federal Government (including the right-of-way approved by an Act of Congress on July 27, 1866). The map referred to in this subsection shall be on file and available for public inspection in the offices of the Director of the Bureau of Land Management.

(c) PRESERVATION OF EXISTING RIGHTS OF ACCESS.—Nothing in this section shall impair any existing rights of access in favor of the public or any owner of adjacent lands over, under or across the lands which are referred to in subsection (a).

(d) MINERALS.—The United States disclaims any and all right of surface entry to the mineral estate of lands described in subsection (b).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah [Mr. HANSEN] and the gentleman from American Samoa [Mr. FALEOMAVAEGA] each will control 20 minutes.

The Chair recognizes the gentleman from Utah [Mr. HANSEN].

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

Mr. Speaker, H.R. 960, introduced by the gentleman from California [Mr. THOMAS] will give the Tulare Redevelopment Agency the ability to purchase lands within the railroad right-of-way that bisects their city. This bill would validate the city's title to one parcel of land that they bought from the railroad before learning the title was clouded by the Federal Government's revisionary interest. It would also allow the railroad to pass clear title to parcels of land shown on the referenced map.

This legislation is a reasonable solution to a difficult problem. The BLM has studied the issue and concluded that the lands in question are best suited for local development as planned by the redevelopment agency. The gentleman from California has worked very hard with the BLM to craft a bill that would be satisfactory to all concerned. The bill has been amended to clarify language that gives the railroad the right to pass clear title to only the redevelopment agency. Language has also been removed from the bill that the administration felt could be construed as a waiver of environmental laws. The current bill would also preserve the Federal interest in mineral rights to the lands, while at the same time disclaiming any right the Government may have to surface entry to the mineral estate. This gives the city the ability to go forward with planning, financing and development.

This bill is intended to resolve an unusual problem within the city of Tulare. The bill is not intended to be dispositive of the status of other rail properties nor is it intended to set a general policy for the treatment of railroad grants. Concerns that this action would set an undesirable precedent regarding railroad right-of-way problems are, I believe, therefore unfounded.

This is a good bill. It is long overdue. I urge my colleagues to support it and allow the Tulare Redevelopment Agency to get on with their efforts to facilitate development and economic growth within their city.

Mr. Speaker, I reserve the balance of my time.

Mr. FALEOMAVAEGA. Mr. Speaker, I yield myself such time as I may consume and, before addressing the legislation before us, I want to thank the Speaker for properly pronouncing the jurisdiction of the district that I represent, American Samoa. It is not Somolia, Somoya, it is Samoa, and I thank the Speaker for that.

Mr. Speaker, I commend the gentleman from California [Mr. THOMAS] for his sponsorship of this legislation. The purpose of H.R. 960, introduced by the gentleman from California, is to allow the city of Tulare in California to acquire property to then resell or lease in order to address redevelopment needs. The property in question is a railroad right-of-way comprised of a 400-foot-wide corridor which was given to Southern Pacific Transportation Co., now owned by the Union Pacific Railroad Co., on a limited fee basis by the United States for the construction of a railroad and telegraph line. If and when the right-of-way is no longer used for the original intent, the property would revert to the United States. Because Union Pacific Railroad Co., does not own this property free and clear, it cannot convey a clear title unless the United States relinquishes its interest in the land.

Under current law, the National Trails Systems Act provides that railroad rights-of-way lands, once abandoned, will remain in the Federal domain. Further, the act establishes a mechanism by which these lands can be used for recreation purposes or for recreation trails. H.R. 960 would preempt this law.

In the past, Congress has voted to validate some limited conveyances by railroad companies. In those cases, private landowners bought what they believed to be clear titles to property only to find out about the U.S. interest in the lands when they went to build or resell the property.

□ 1515

Other instances arose where an adjacent landowner mistakenly built a garage or add-on to a private home which infringed on the right-of-way. Parcels approved in the past have been of little monetary value and were mostly used for private housing.

This legislation will mark the first time a Congress will prospectively validate parcels in this manner. Enactment of this legislation will be the first time the United States relinquishes its interest in its railroad right-of-way lands for the purpose of community development.

By all accounts, the city of Tulare, CA is in need of revitalization. Extinguishing Federal rights in this land

may help the redevelopment of the area, and I hope it does. How much profit Union Pacific Railroad Co. seizes from gaining the Federal interest will presumably be determined through price negotiation with the city of Tulare. This legislation reacts to a specific and unique set of circumstances in the city of Tulare.

In this instance, the Federal Government has determined that if the railroad right-of-way lands were to revert to the Federal Government, it would not be interested in managing the land and would seek to dispose of the land. Passage of this legislation should not be perceived as endorsing the concept of the Federal Government giving away public rights without compensation.

With that statement, Mr. Speaker, again I urge my colleagues to support this legislation with those bases of clarification; and again I thank our good friend from California for his diligence and working closely both with the administrators and with Members of this side of the aisle.

The United States gave Southern Pacific Transportation Co. an interest in the lands that are the subject of H.R. 960 through a right-of-way granted under the Pacific Railroads Act of July 1, 1862, ch. 120, 12 Stat. 489, as amended. Section 2 of the act granted a 400-foot-wide right-of-way through the public lands of the United States: "For the construction of a railroad and telegraph line."

In *Northern Pac. Ry. v. Townsend*, 190 U.S. 267, 271 (1903), the right-of-way grant was characterized as a "limited fee made on an implied condition of reverter" in the event that the railroad ceased to use the right-of-way for the purpose for which it was granted. Under these conditions, if the railroad were to cease use of the right-of-way, and a forfeiture were declared by the Congress or a judicial proceeding initiated by the Attorney General of the United States, the railroad would lose its interest in the land, which would revert to the Federal Government.

The National Trails System Act, 16 U.S.C. 1241, provides that " * * * all right, title, interest, and estate of the United States in all rights-of-way * * * shall remain in the United States upon the abandonment or forfeiture. * * * This act establishes a mechanism by which the reverted land can be used for recreation trails. H.R. 960 would preempt the National Trails System Act by eliminating the reversionary interest.

The city of Tulare wants to buy the right-of-way land alongside the railroad to sell or lease through the city of Tulare Redevelopment Agency. The railroad, however, does not own the land—the taxpayers do—and so the title is not cleared to convey. One parcel in the city of Tulare has already been sold by the railroad despite the fact it did not own the land. This legislation would validate title to the parcel already sold as well as prospectively extinguishing Federal reversion rights on all lands within the redevelopment plan area, thereby giving Southern Pacific Transportation Co. clear title to sell the lands and to profit from their disposal.

In the past Congress has validated some limited conveyances in situations where the new owner purchased the land in good faith without realizing there was a reversion interest

to the Federal Government. Parcels approved in the past have been of little monetary value and were mostly used for private housing. This legislation will mark the first time that Congress prospectively validated parcels in this manner before they were sold and before any party was misled about the title of land which it had purchased.

Enactment of this legislation will be the first time the United States relinquishes its interest in railroad rights-of-way lands for the purpose of community redevelopment. By all accounts the city of Tulare is in need of revitalization. Extinguishing Federal rights to this land may help the redevelopment of the area. How much profit Southern Pacific Transportation Co. realizes from selling the Federal interest will presumably be determined through price negotiations with the city of Tulare.

It should be noted that this legislation responds to a specific and unique set of circumstances in the city of Tulare. In this instance, the Federal Government has determined that if the railroad right-of-way lands were to revert, the Federal Government would not be interested in managing the lands. Passage of this legislation should not be perceived as endorsing the concept of the Federal Government giving away public rights without just compensation.

Mr. Speaker, I reserve the balance of my time.

Mr. HANSEN. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. THOMAS], the sponsor of this legislation, who has worked many, many hours to bring this to pass.

(Mr. THOMAS asked and was given permission to revise and extend his remarks.)

Mr. THOMAS. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I want to thank both the chairman and ranking member for taking the time that they have in looking at this obviously unique situation. I think all of us want to underscore the hours consumed in dealing with this issue is because it is a unique situation. It probably will remain unique, given the definition of unique, and it will not set a precedent.

The people in the small community of Tulare in the central valley of California have got to feel comfortable that people who represent American Samoa and Utah, in their subcommittee duties, took enough time to understand the uniqueness of this situation that would allow what would if it were precedent-setting be an extremely unusual situation to go forward. I want to thank both of you for their willingness to work with my office and my constituents.

Mr. Speaker, I am extremely pleased that the House is considering my bill, H.R. 960, today because the bill is an essential step toward giving the city of Tulare, California's Tulare Redevelopment Agency the tools with which to end a blight in the city's downtown area. This bill will give local people control over Federal reversionary interest in railroad rights of way bisecting the very heart of the city, allowing a rural community with high unemployment to bring in new jobs.

H.R. 960 takes a new approach to the complicated field of Federal land grants because

of the unusual problem confronting the city of Tulare. Our Resources Committee colleagues passed the bill by voice vote on June 25, 1997, because they saw the need to foster redevelopment in this community. So does the Bureau of Land Management. In fact, the Bureau's full support of H.R. 960 is expressed in a letter I am submitting for the RECORD. We were able to reach agreement on the legislation because of the widespread agreement on the very unique setting H.R. 960 will address.

Tulare, a city of 40,350 located in California's Central Valley, has an unemployment rate of over 15 percent. The surrounding county has a similarly high-unemployment rate and residents of the area have median incomes that are 30 percent below the rest of California's. City of Tulare leaders have been looking for ways to bring more jobs to the region for years. Tulare's Redevelopment Agency has been working on a redevelopment program as part of that process and the agency needs H.R. 960 to carry out its program.

H.R. 960 is a very limited proposal intended to meet unique needs. It transfers the Federal reversionary interest in 12 parcels of land in the middle of the community to the city of Tulare's Redevelopment Agency so that the agency can pursue a 10-year program to finance and market a redevelopment program intended to help bring retailing opportunities and jobs to the community.

There is no reason for the lands covered by H.R. 960 to be retained at the Federal level for recreational purposes. The parcels are in the midst of an urban, largely industrial area. The Bureau of Land Management [BLM] does not want these properties back and that the agency would seek some way of getting the land to Tulare if the railroad ever relinquished control. In similar circumstances, BLM has found these urban settings to be a drain on its resources because the unoccupied properties become casual dumping grounds which cost BLM money to clean up.

If allowed to redevelop land adjacent to the rail line, the people of Tulare believe that it could generate more than 350 jobs in 6 years because of the agency's plan to create a retail shopping area.

The city cannot gain control over the core of this corridor without a change in Federal law. In the last century, Congress extended rights of way to railroads in order to encourage the creation of a rail transport system. The Southern Pacific Railroad received rights for tracks and land adjacent to those tracks within what is now Tulare. Because the Federal Government has a reversionary interest in the right of way and surrounding properties, the redevelopment agency cannot obtain control of all the 12 parcels of land along the rail line that the city wishes to redevelop. The city cannot condemn the Federal interest and as a result, cannot make use of anything the community might secure from the railroad.

The railroad and its successor, Union Pacific, run over 30 trains per day through the center of the city and as a result the tracks will probably never be abandoned under the law. The railroad will continue to argue that it controls the adjoining parcels of land because abandonment has not occurred. The Federal interest in these properties is at best a highly speculative, prospective one and that is the way things are likely to stay. That leaves Tulare with a problem.

Most of the land along the tracks is empty. Small shops east of the rail line and a cotton

seed mill and family homes on the other side look out on blighted property. There are a few small businesses operating on short-term leases and an abandoned gas station on railroad property along the corridor. For the most part, however, a visitor can see nothing but vacant lots that have cut off business growth from the east. The Tulare Redevelopment Agency's plan would preserve the railroad tracks while allowing some of this empty space in the center of town to be turned into more productive use.

H.R. 960 clears the path for redevelopment. First, it gives the city clear title to one piece of property which Tulare already thought it had purchased from Southern Pacific before learning that railroad law clouded the title. Second, it transfers the reversionary interest in 11 other parcels so that the redevelopment agency can deal with the railroad and secure the remaining properties.

It is essential that we pass this bill because the redevelopment plan cannot be made to work piecemeal. Following the practices of the past and "confirming" title in someone who has already bought a clouded title only solves part of the city's problem. To ensure coherent economic redevelopment, the redevelopment agency has to control all the parcels of land so planning, marketing and community financing of the development are possible. Giving the city title to one piece of property will deny the city resources to continue developing. Forcing the city to come back to Congress each time an interest is transferred is a waste of the city's time and ours.

The bill is not intended by the Resources Committee or by me to be dispositive of the status of other rail properties not addressed in the legislation nor is it intended to set a general policy for the treatment of railroad grants. Because the city needs the redevelopment H.R. 960 will facilitate, our colleagues decided this unique approach should be adopted in this case.

I urge my colleagues to join me passing H.R. 960 today. Tulare wants to take control over its own economic destiny by putting lousy land to better use. Unless this bill is enacted, Congress will be in the way of a city that badly needs our help.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, DC, June 24, 1997.

Hon. DON YOUNG,
Chairman, Committee on Resources, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for this opportunity to comment on H.R. 960, a bill that will extinguish the Federal government's right of reversion to lands encumbered by a railroad right-of-way within Tulare, California. The Bureau of Land Management (BLM), testified at a hearing on May 20, 1997, before the Subcommittee on National Parks and Public Lands on this bill. It is my understanding that this bill will soon be marked up by your Committee and we would like our views included for the Record. The Administration supports the legislation as reported to your Committee.

The BLM testified before the Subcommittee in support of H.R. 960 if certain changes were made to the bill. Those changes were made in Subcommittee markup and we now support this bill.

H.R. 960 would eliminate all rights of the United States to land within a railroad right-of-way, granted by an Act of Congress on July 27, 1886, in downtown Tulare, California. The City of Tulare has requested this ac-

tion in order to obtain clear title to those portions of the right-of-way within an Urban Redevelopment Plan adopted by the City. H.R. 960 would accomplish this by validating conveyances made prior to or after April 15, 1996, to the City of Tulare's Redevelopment Agency by the Southern Pacific Transportation Company, the holder of the railroad right-of-way (or its successor, presently Union Pacific Railroad).

Currently, some 30 trains a day cross the tracks in the center of this right-of-way through downtown Tulare and the railroad owner has no plans to stop using the tracks. Therefore, until abandonment is legally determined, the property does not revert to the Federal government.

Our understanding of the situation is that the City of Tulare attempted to acquire one parcel of land within the right-of-way for redevelopment purposes and was informed by their title company that it would not insure title because of the reversionary nature of the railroad's right-of-way. Because of this, the City did not attempt to acquire any of the remaining lands within its redevelopment area (encompassing approximately 60 acres) pending resolution of this issue.

The right-of-way granted pursuant to the Act of July 27, 1886, is a grant of a limited fee, made on an implied condition of reverter in the event that the company ceased to use or retain the land for the purpose for which it was granted. By the Act of May 24, 1920 (43 U.S.C. 913), the railroad owners were authorized to convey to States, counties or municipalities the outer portions of the right-of-way for use as a public highway or street (such conveyances would still be subject to the possible future reversion to the United States). The 1988 National Trails System Act (16 U.S.C. 1248(c)), provides that "... all right, title, interest, and estate of the United States ... shall remain in the United States upon the abandonment or forfeiture ..." of the railroad.

BLM has examined the lands in downtown Tulare and has concluded that because of their location, and having reviewed the City's plans, the lands are best suited for local development as planned by the Redevelopment Agency.

BLM is not interested in managing the lands involved even if they did revert to the Federal government. In the interim, the City of Tulare deserves to be able to plan for the development of its downtown and revitalize its business center. The only way that this public goal can be realized is for the Federal government to relinquish its interest in the property involved through legislation such as H.R. 960.

We made several recommended changes which have been incorporated in the bill, including the deletion of the waiver of environmental laws and revised language clarifying that only conveyances from the railroad to the Redevelopment Agency would be validated. Finally, we requested that a map of this area be on file with the BLM and that we have an opportunity to see such a map before markup. We have reviewed that map and are satisfied with it.

Thank you for the opportunity to comment on this legislation. The Office of Management and Budget has advised us that it has no objection to the submission of this report from the standpoint of the President's program.

Sincerely,

PIET DEWITT,
Acting Deputy Assistant Secretary.

Mr. Speaker, I thank the chairman and ranking member once again.

Mr. FALEOMAVAEGA. Mr. Speaker, I have no additional speakers, and I yield back the balance of my time.

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

The SPEAKER pro tempore (Mr. GOODLING). The question is on the motion offered by the gentleman from Utah [Mr. HANSEN] that the House suspend the rules and pass the bill, H.R. 960, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

CONVEYING CERTAIN LAND TO CITY OF GRANTS PASS, OR.

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1198), to direct the Secretary of the Interior to convey certain land to the city of Grants Pass, OR., as amended.

The Clerk read as follows:

H.R. 1198

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

SECTION. 1. CONVEYANCE OF BLM LAND TO GRANTS PASS, OREGON.

(a) CONVEYANCE REQUIRED.—The Secretary of the Interior shall promptly convey to the City of Grants Pass, Oregon (in this section referred to as the "City"), without monetary compensation, all right, title, and interest of the United States in and to the real property described in subsection (b).

(b) PROPERTY DESCRIBED.—(1) IN GENERAL.—The real property referred to in subsection (a) is that parcel of land depicted on the map entitled "Merlin Landfill Map" and dated June 20, 1997, consisting of—

(A) approximately 200 acres of Bureau of Land Management Land on which the City has operated a landfill under lease; and

(B) approximately 120 acres of Bureau of Land Management Land that are adjacent to the land described in subparagraph (A).

(2) DETERMINATION BY SECRETARY.—The Secretary of the Interior may determine more particularly the real property described in paragraph (1).

(c) CONSIDERATION.—As consideration for the conveyance under subsection (a), the Secretary shall require the City to agree to indemnify the Government of the United States for all liability of the Government that arises from the property.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah [Mr. HANSEN] and the gentleman from American Samoa [Mr. FALEOMAVAEGA] each will control 20 minutes.

The Chair recognizes the gentleman from Utah [Mr. HANSEN].

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

Mr. Speaker, H.R. 1198, as amended, is a bill introduced by my colleague, the gentleman from Oregon [Mr. SMITH]. Mr. SMITH has worked hard to develop a bill which successfully resolves an environmentally sensitive issue and will benefit the people of Oregon.

H.R. 1198 directs the Secretary of the Interior to convey certain Federal land currently used as a solid waste landfill facility from the Bureau of Land Man-

agement to the city of Grants Pass, OR. This bill transfers title and all right and interest of the real property to the city of Grants Pass, while indemnifying the Government of the United States for all liability that may arise from the property. A technical amendment provided the title and date of the map in the property description found in section 1(b)(1) of the bill.

This bill is noncontroversial and is supported by the administration and the city of Grants Pass, OR. I urge my colleagues to support H.R. 1198.

Mr. Speaker, I reserve the balance of my time.

Mr. FALEOMAVAEGA. Mr. Speaker, I yield myself such time as I may consume. I too would like to commend the gentleman from Oregon [Mr. SMITH], who is also a member of our committee, for his sponsorship of this legislation.

Mr. Speaker, H.R. 1198 directs the Secretary of the Interior to convey to the city of Grants Pass, OR, without monetary consideration, approximately 200 acres of public land which the city has operated under lease and 120 acres of adjacent public land to be used as a buffer. In addition, the bill specifies that the city must agree to indemnify the United States from all liability that arises from the property.

In testimony before the Committee on Resources, the administration stated its support of the bill, and I know of no controversy associated with the legislation.

With that in mind, Mr. Speaker, I urge my colleagues to support this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. HANSEN. Mr. Speaker, I have no further speakers on this issue, and I yield back the balance of my time.

Mr. FALEOMAVAEGA. Mr. Speaker, before I yield the balance of my time, I would like to say that I would be remiss if I did not offer my commendations to the members of the staff on this side of the aisle for their tremendous work with the Members in getting this piece of legislation successfully passed here on the floor of the House: Mr. Rick Healy, Marie Howard Fabrizio, Jean Flemma, and Ann Owens.

Mr. SMITH of Oregon. Mr. Speaker, I rise today to urge swift passage for this legislation which would transfer the Merlin Landfill in my district to the city of Grants Pass, OR.

Grants Pass is a small city in southern Oregon and has leased approximately 200 acres of BLM land for the Merlin Landfill since 1968. This lease is due to expire on April 14, 2000, 2 or 3 years short of the landfill's operational lifespan. The BLM has stated that it will not renew this lease.

In 1990, low levels of organic chemicals were identified in groundwater beyond the site boundaries. This contamination was so minimal that if the water was used for public drinking, it would meet all Federal and State standards for safety. Nevertheless, the Superfund law requires that, as public land, the site be listed as a contaminated Federal facility and evaluated for ranking on the national priorities list for subsequent cleanup.

Although the BLM would be responsible for performing this cleanup, Superfund requires that the Bureau recover its costs. As with other Superfund liability disputes, the litigation expenses incurred by both the BLM and the city could quite possibly cost more than the cleanup itself. These circumstances led the BLM to attempt to cancel the Merlin Landfill's lease in 1991. Because a lease termination or a suspension in operation during the cleanup would pose an enormous financial burden on the citizens and businesses of Grants Pass, the city successfully worked with the BLM to address the environmental concerns. These efforts have cost the city several million dollars.

In addition, the city has entered into a consent order with the Oregon Department of Environmental Quality obligating it to address the remaining concerns in preparation for the eventual closure of the landfill. However, despite its faithful cooperation in addressing these issues, if the landfill closes when the lease terminates in the year 2000, the city will not have adequate financial resources to fund the remaining compliance activities as well as the Closure and Post-Closure Trust Funds.

After exploring a number of nonlegislative options, the concerned parties came to a consensus agreement that the best and most cost-effective solution to the problem would be for the BLM to transfer the leased land and an additional parcel of 120 acres to the city. In turn, Grants Pass would accept all liability and responsibility for cleaning up the contaminated area.

Most important, however, is that such a transfer would allow operations to continue at the Merlin Landfill for another 2 or 3 years past the lease termination date. This would allow the city to raise enough money to meet its environmental obligations including the Closure and Post-Closure Trust Funds.

This is simple, cost-effective, good government, and it is recognized as such by all parties involved. The Oregon Department of Environmental Quality, Josephine County, the BLM, and the Governor's office have all voiced their support for this legislation. I, too, hope for a speedy passage so that the city of Grants Pass and the BLM have adequate time to prepare and complete this transfer.

Mr. FALEOMAVAEGA. 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 Utah [Mr. HANSEN] that the House suspend the rules and pass the bill, H.R. 1198, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. HANSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on S.J.Res. 29, H.R. 822, H.R. 951, H.R. 960, and H.R. 1198, the bills just considered.

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

There was no objection.