

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

There was no objection.

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

Mr. Speaker, S. 291, the Carlsbad Irrigation Project Acquired Land Transfer Act, introduced by Senator DOMENICI of New Mexico, is the companion bill to H.R. 1019, introduced by the gentleman from New Mexico (Mr. SKEEN), my esteemed colleague, that was reported from the Committee on Resources last year.

For the last 6 years, the Subcommittee on Water and Power has pursued legislation to shrink the size and scope of the Federal Government through the defederalization of Bureau of Reclamation assets.

S. 291 continues this defederalization process by authorizing the Secretary of the Interior to convey to the Carlsbad Irrigation District all right, title, and interest of the United States in and to the acquired lands and all interest the United States holds in the irrigation and drainage system of the Carlsbad project and all related land. The Carlsbad project is a paid-out, single purpose irrigation project delivering stored water to approximately 25,000 acres of farmland in southeastern New Mexico.

This bill is one of several working their way through the House and Senate. It is the expectation of the committee that the Senate will accelerate its work on the other transfer bills that currently await action in the Senate.

Mr. Speaker, I yield the balance of my time to the gentleman from New Mexico (Mr. SKEEN), the author of the House version of the Carlsbad transfer, and ask unanimous consent that he be permitted to control that time.

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

There was no objection.

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

Mr. Speaker, I rise in enthusiastic and strong support of S. 291, the Carlsbad Irrigation Project Acquired Land Transfer Act. S. 291 was introduced by Senator DOMENICI and Senator BINGAMAN of New Mexico and is the companion bill to H.R. 1019, legislation that I introduced, which passed the Committee on Resources early last year. In fact, I have introduced a version of H.R. 1019 each of the last three Congresses only to run into some form of legislative or political brick wall each time.

Ideally, I would have preferred to be debating H.R. 1019 right now in lieu of S. 291, as I believe that H.R. 1019 is a stronger bill and will serve the interests of Congress and the Carlsbad Irrigation District best. However, discretion is the better part of valor, and I will be pleased to finally send this bill to the President for his signature.

After all, Senate 291 does continue my long-held belief that the more we

can devolve the Federal rule and the local decision-making process the better the management will be.

Now, for a history and justification. In 1905, the U.S. purchased acquired lands from the Pecos Irrigation Company. The amount paid for these lands or the methodology of repayment were contained within the Carlsbad Irrigation District's repayment obligations to the United States.

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The district has repaid all the project costs attributed to them, which includes the acquired lands. Their obligations have been met in full. As a single-purpose project, the district received no repayment credits for flood control, recreation or other project beneficiaries.

The 1924 Fact Finders Act requires all revenues, except minerals generated from the acquired lands, to be used by the district for the project and the 1939 Minerals Leasing Act permits all mineral receipts to be used by the district for district purposes. Both of these acts apply whether the district is paid out or not.

In 1991, the district completed its repayment obligations. Almost \$2.5 million has accumulated in the Reclamation Fund on behalf of CID and are currently available to offset new construction costs. Over 90 years of precedent and several Solicitor Generals reports clearly recognize the District's right to all revenues from the acquired lands.

However, and as a sign of good will to mistaken opposition, the district is waiving its justified right to the \$2 million and allows it to be credited towards the national deficit or debt reduction. That ought to be interesting.

The district is also accepting the O&M costs of Sumner Dam, which is currently the taxpayers' responsibility, and is accepting full responsibility for the conveyed lands and facilities. In addition, the district can only use revenues for maintenance and improvements of the project.

The district is also waiving future eligibility for additional reclamation benefits for the conveyed lands and facilities. And simply put, the district is accepting the costs of the project and saving taxpayer dollars in the process.

The responsible approach on behalf of taxpayers is absolution of the taxpayers' future monetary obligations; and that is accomplished by passage of this legislation, which requires the district's acceptance of financial responsibility.

The State, the county, the city of Carlsbad have soundly endorsed the legislation. The administration supports the legislation. And most importantly, I support the bill.

Mr. Speaker, I want to thank the district manager, Tom Davis; board chairman L.A. Johnson; Bill Ahrens; and the remainder of the board and members of the district for their patience and faith in the process.

Finally, I would like to thank the gentleman from California (Chairman

DOOLITTLE), the gentleman from Alaska (Chairman YOUNG), and the gentleman from California (Mr. GEORGE MILLER) and the gentleman from California (Mr. DOOLEY). For without each of their assistance, what has been a long road would have been considerably longer.

In closing, I would be remiss to not mention the fine work of the majority staff, Bob Faber and Josh Johnson, and minority staffer Steve Lanich. We all know and appreciate the support the staff provides.

Mr. Speaker, I strongly urge passage of S. 291.

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

Mr. GEORGE MILLER of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it is with great admiration and great respect and high regard for my colleague, the gentleman from New Mexico (Mr. SKEEN), that I rise in support of the Carlsbad Irrigation Project Acquired Lands Transfer Act.

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

The SPEAKER pro tempore (Mr. PEASE). The question is on the motion offered by the gentleman from Pennsylvania (Mr. SKEEN) that the House suspend the rules and pass the Senate bill, S. 291.

The question was taken.

Mr. GEORGE MILLER of California. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

WELLTON-MOHAWK TRANSFER ACT

Mr. SHERWOOD. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 356) to authorize the Secretary of the Interior to convey certain works, facilities, and titles of the Gila Project, and designated lands within or adjacent to the Gila Project, to the Wellton-Mohawk Irrigation and Drainage District, and for other purposes.

The Clerk read as follows:

S. 356

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 referred to as the "Wellton-Mohawk Transfer Act".

SEC. 2. TRANSFER.

The Secretary of the Interior ("Secretary") is authorized to carry out the terms of the Memorandum of Agreement No. 8-AA-34-WA014 ("Agreement") dated July 10, 1998 between the Secretary and the Wellton-Mohawk Irrigation and Drainage District ("District") providing for the transfer of works, facilities, and lands to the District, including conveyance of Acquired Lands, Public Lands, and Withdrawn Lands, as defined in the Agreement.

SEC. 3. WATER AND POWER CONTRACTS.

Notwithstanding the transfer, the Secretary and the Secretary of Energy shall provide for and deliver Colorado River water and Parker-Davis Project Priority Use Power to the District in accordance with the terms of existing contracts with the District, including any amendments or supplements thereto or extensions thereof and as provided under section 2 of the Agreement.

SEC. 4. SAVINGS.

Nothing in this Act shall affect any obligations under the Colorado River Basin Salinity Control Act (Public Law 93-320, 43 U.S.C. 1571).

SEC. 5. REPORT.

If transfer of works, facilities, and lands pursuant to the Agreement has not occurred by July 1, 2000, the Secretary shall report on the status of the transfer as provided in section 5 of the Agreement.

SEC. 6. AUTHORIZATION.

There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. SHERWOOD) and the gentleman from California (Mr. GEORGE MILLER) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. SHERWOOD).

GENERAL LEAVE

Mr. SHERWOOD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on S. 356.

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

There was no objection.

Mr. SHERWOOD. Mr. Speaker, I yield myself such time as I may consume. Mr. Speaker, S. 356, the Wellton-Mohawk Transfer Act, introduced by Senator KYL of Arizona, is a companion bill to H.R. 841 introduced by the gentlewoman from Hawaii (Mrs. MINK) that was reported from the Committee on Resources last year.

S. 356 continues the defederalization process by conveying certain works, facilities, and titles of the Gila Project and designated lands to the Wellton-Mohawk Irrigation and Drainage District in Arizona.

Wellton-Mohawk has fully repaid its project costs. On July 10, 1998, the district and the bureau signed a memorandum of agreement that covers the details of the transfer of title. It includes transfer of lands between the Federal Government and the district, including the acquisition of additional lands for exchange.

All transfers will be at fair market value. No change in the project operation is contemplated by the transfer and the district will continue to limit irrigated acreage to 62,875 acres. The transfer would include all facilities and works for which full repayment has been made.

"The goal of Reclamation and the District is that within 180 days of the execution of the Title Transfer Contract, the Secretary shall convey to

the District all right, title and interest of the United States to the Facilities, works and lands to be conveyed and transferred to the District."

It is the expectation of the committee that the Senate will accelerate its work on other transfer bills that are currently awaiting action in the Senate. The committee expects that the Bureau of Reclamation will adhere to their memorandum of agreement with the district signed on July 10, 1998.

Mr. Speaker, I request an aye vote on the bill.

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

Mr. GEORGE MILLER of California. Mr. Speaker, I yield myself such time as I may consume. Mr. Speaker, I rise in support of S. 356, the Wellton-Mohawk Transfer Act. The Wellton-Mohawk has fully repaid its project costs. The district and the bureau signed a memorandum of agreement 2 years ago that covers the details of the transfer of title.

The project facilities that will be transferred under legislation no longer provide benefits to the United States, and it is appropriate that the local district assume full responsibility for these facilities.

I urge my colleagues to support this legislation.

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 Pennsylvania (Mr. SHERWOOD) that the House suspend the rules and pass the Senate bill, S. 356.

The question was taken.

Mr. GEORGE MILLER of California. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

CLARIFYING CERTAIN BOUNDARIES OF COASTAL BARRIER RESOURCES SYSTEM

Mr. SHERWOOD. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4435) to clarify certain boundaries on the map relating to Unit NC01 of the Coastal Barrier Resources System, as amended.

The Clerk read as follows:

H.R. 4435

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

SECTION 1. REPLACEMENT OF COASTAL BARRIER RESOURCES SYSTEM MAP.

(a) IN GENERAL.—The map described in subsection (b) is replaced, in the maps depicting the Coastal Barrier Resources System that are referred to in section 4(a) of the Coastal Barrier Resources Act (16 U.S.C. 3503(a)), by the map entitled "Pine Island Unit NC-01" and dated May 1, 2000.

(b) DESCRIPTION OF REPLACED MAP.—The map described in this subsection is the map that—

(1) relates to Pine Island Unit NC-01 located in Currituck and Dare Counties, North Carolina; and

(2) is included in a set of maps entitled "Coastal Barrier Resources System", dated October 24, 1990, revised on October 23, 1992, and referred to in section 4(a) of the Coastal Barrier Resources Act (16 U.S.C. 3503(a)).

(c) AVAILABILITY.—The Secretary of the Interior shall keep the replacement map referred to in subsection (a) on file and available for inspection in accordance with section 4(b) of the Coastal Barrier Resources Act (16 U.S.C. 3503(b)).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. SHERWOOD) and the gentleman from California (Mr. GEORGE MILLER) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. SHERWOOD).

GENERAL LEAVE

Mr. SHERWOOD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 4435.

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

There was no objection.

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

Mr. Speaker, H.R. 4435, introduced by our colleague, the gentleman from North Carolina (Mr. JONES), corrects a mistake that was made in delineating the boundary of Coastal Barrier Resources System Unit NC01.

The Coastal Barrier Resources System consists of units located on undeveloped coastal barriers and delineated on maps adapted by Congress.

Land included in the system is not acquired by the Government, and the act does not prevent or regulate development on private lands. The act does prohibit the use of Federal developmental assistance, including Federal flood insurance, on property included in the system.

Unit NC01 was originally created in 1990 to incorporate property owned by the National Audubon Society and the surrounding associated aquatic habitat. Unfortunately, a significant amount of privately and publicly owned developed property was inadvertently, or incorrectly, included within its boundary.

In 1992, Congress directed the Secretary of the Interior to redraw the boundary to fix these problems. That new map again failed to accurately portray the boundary of the Audubon Sanctuary, and the unit continued to include privately owned development property.

Mr. Speaker, H.R. 4435 removes the incorrectly labeled private property and adds associated aquatic habitat that was incorrectly left out of the unit in 1992.

The Fish and Wildlife Service supports this change. I commend the gentleman from North Carolina (Mr. JONES) for his efforts in correcting this error and urge an aye vote on H.R. 4435.