

SEC. 3. ACCESS.

(a) **IN GENERAL.**—The Secretary shall allow the continuation of historic uses of the Bulls Eye Mine Road established before the date of enactment of this Act, subject to such terms and conditions as the Secretary may provide.

(b) **PRIVATELY OWNED LAND.**—Access to any privately owned land within the wilderness areas designated under section 2 shall be provided in accordance with section 5 of the Wilderness Act (16 U.S.C. 1134 et seq.).

SEC. 4. CONFORMING AMENDMENTS.

Section 10 of the Colorado Wilderness Act of 1993 (Public Law 103-77; 107 Stat. 756; 16 U.S.C. 1132 note) is repealed.

The committee amendment was agreed to. The bill (S. 503), as amended, was passed.

HAWAII WATER RESOURCES RECLAMATION ACT OF 1999

The Senate proceeded to consider the bill (S. 1694) direct the Secretary of the Interior to conduct a study on the reclamation and reuse of water and wastewater in the State of Hawaii, which had been reported from the Committee on Energy and Natural Resources, with an amendment, as follows:

(The part of the bill intended to be stricken are shown in boldface brackets and the part of the bill intended to be inserted are shown in italic.)

S. 1694

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 “Hawaii Water Resources Reclamation Act of 1999”.

SEC. 2. FINDINGS.

Congress finds that—

(1) The Act of August 23, 1954 (68 Stat. 773; chapter 838) authorized the Secretary of the Interior to investigate the use of irrigation and reclamation resource needs for areas of the islands of Oahu, Hawaii, and Molokai in the State of Hawaii;

(2) section 31 of the Hawaii Omnibus Act (43 U.S.C. 422l) authorizes the Secretary to develop reclamation projects in the State under the Act of August 6, 1956 (70 Stat. 1044; chapter 972; 42 U.S.C. 422a et seq.) (commonly known as the “Small Reclamation Projects Act”);

(3) the amendment made by section 207 of the Hawaiian Home Lands Recovery Act (109 Stat. 364; 25 U.S.C. 386a) authorizes the Secretary to assess charges against Native Hawaiians for reclamation cost recovery in the same manner as charges are assessed against Indians or Indian tribes;

(4) there is a continuing need to manage, develop, and protect water and water-related resources in the State; and

(5) the Secretary should undertake studies to assess needs for the reclamation of water resources in the State.

SEC. 3. DEFINITIONS.

In this Act:

(1) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(2) **STATE.**—The term “State” means the State of Hawaii.

SEC. 4. WATER RESOURCES RECLAMATION STUDY.

(a) **IN GENERAL.**—The Secretary, acting through the Commissioner of Reclamation, shall conduct a study that includes—

(1) a survey of irrigation and water delivery systems in the State;

(2) an estimation of the cost of repair and rehabilitation of the irrigation and water delivery systems;

(3) an evaluation of options for future use of the irrigation and water delivery systems (including alternatives that would improve the use and conservation of water resources); and

(4) the identification and investigation of other opportunities for reclamation and reuse of water and wastewater for agricultural and nonagricultural purposes.

(b) REPORTS.

(1) **IN GENERAL.**—Not later than [1 year after the date of enactment of this Act,] 2 years after appropriation of funds authorized by this Act, the Secretary shall submit a report that describes the findings and recommendations of the study described in subsection (a) to—

(A) the Committee on Energy and Natural Resources of the Senate; and

(B) the Committee on Resources of the House of Representatives.

(2) **ADDITIONAL REPORTS.**—The Secretary shall submit to the Committees described in paragraph (1) any additional reports concerning the study described in subsection (a) that the Secretary considers to be necessary.

(c) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated such sums as are necessary to carry out this section.

SEC. 5. WATER RECLAMATION AND REUSE.

Section 1602(b) of the Reclamation Waste-water and Groundwater Study and Facilities Act (43 U.S.C. 390h(b)) is amended by inserting before the period at the end the following: “, and the State of Hawaii”.

SEC. 6. DROUGHT RELIEF.

Section 104 of the Reclamation States Emergency Drought Relief Act of 1991 (43 U.S.C. 2214) is amended—

(1) in subsection (a), by inserting after “Reclamation State” the following: “and in the State of Hawaii”; and

(2) in subsection (c), by striking “ten years after the date of enactment of this Act” and inserting “on September 30, 2005”.

The committee amendment was agreed to.

The bill (S. 1694), as amended, was passed.

INDEPENDENT SCIENTIFIC REVIEW PANEL OF THE PACIFIC NORTHWEST ELECTRIC POWER PLANNING COUNCIL

The Senate proceeded to consider the bill (S. 1167) amend the Pacific Northwest Electric Power Planning and Conservation Act to provide for expanding the scope of the Independent Scientific Review Panel which had been reported from the Committee on Energy and Natural Resources, with an amendment to strike all after the enacting clause and inserting in lieu thereof the following:

(The part of the bill intended to be inserted is shown in italic.)

S. 1167

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

SECTION 1. REVIEW OF REIMBURSABLE PROJECTS, PROGRAMS, AND MEASURES BY THE INDEPENDENT SCIENTIFIC REVIEW PANEL OF THE PACIFIC NORTHWEST ELECTRIC POWER PLANNING COUNCIL.

Section 4(h)(10)(D) of the Pacific Northwest Electric Power Planning and Conservation Act (16 U.S.C. 839b(h)(10)(D)) is amended by striking clauses (vii) and (viii) and inserting the following:

“(vii) REVIEW BY THE PANEL OF REIMBURSABLE PROJECTS, PROGRAMS, AND MEASURES.—

“(I) **IN GENERAL.**—With regard to Columbia Basin fish and wildlife projects, programs or measures proposed in a Federal agency budget to be reimbursed by BPA, or paid through a direct funding agreement with BPA, the panel shall annually—

“(aa) review such proposals;

“(bb) determine whether the proposals are consistent with the criteria stated in item (iv);

“(cc) make any recommendations that the Panel considers appropriate to make the project, program, or measure meet the criteria stated in item (iv); and

“(dd) transmit the recommendations to the Council no later than April 1 of each year.

“(II) **PUBLIC AVAILABILITY AND COMMENT.**—Determinations and recommendations made by the panel under subclause (I) shall be available to the public and shall be subject to public comment as in item (v).

“(III) **ROLE OF THE COUNCIL.**—The Council shall fully consider the recommendations of the Panel when making its final recommendations of projects proposed by Federal agencies and reimbursed by BPA, or paid through a direct funding agreement with BPA. The Council shall submit its recommendations to the House and Senate Committees on Appropriations and relevant authorizing committees, and the U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, Bureau of Reclamation, and the Bonneville Power Administration no later than May 15 of each year. If the Council does not incorporate a recommendation of the Panel in its recommendations, the Council shall explain in writing its reasons for not accepting Panel recommendations.

“(viii) **COST LIMITATION.**—The annual cost of this provision shall not exceed \$750,000 in 1997 dollars.”.

The committee amendment was agreed to.

The bill (S. 1167), as amended, was passed.

EDUCATION LAND GRANT ACT

The Senate proceeded to consider the bill (H.R. 150) to authorize the Secretary of Agriculture to convey National Forest System land for use for educational purposes, and for other purposes, which had been reported from the Committee on Energy and Natural Resources, with an amendment to strike all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. SHORT TITLE.

(a) **SHORT TITLE.**—This Act may be cited as the “National Forest Education and Community Purpose Lands Act”.

SEC. 2. FINDINGS.

Congress finds that—

(1) communities adjacent to and surrounded by National Forest System land have limited opportunities to acquire land for recreational, educational and other public purposes;

(2) in many cases, such recreational, educational and other public purposes are not within the mission of the Forest Service, but would not be inconsistent with land and resource management plans developed for the adjacent national forest;

(3) such communities are often unable to acquire land for such recreational, educational and other public purposes due to extremely high market value of private land resulting from the predominance of Federal land in the local area; and

(4) the national forests and adjacent communities would mutually benefit from a process similar to that available to the Bureau of Land

Management under the Act of June 14, 1926 (commonly known as the "Recreation and Public Purposes Act") (43 U.S.C. 869 et seq.).

SEC. 3. DEFINITIONS.

In this Act:

(1) **HAZARDOUS SUBSTANCE.**—The term "hazardous substance" has the meaning given the term in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601).

(2) **PARCEL.**—

(A) **IN GENERAL.**—The term "parcel" means a parcel of land under the jurisdiction of the Forest Service that has been withdrawn from the public domain.

(B) **EXCLUSION.**—The term "parcel" does not include land set aside or held for the benefit of Indians.

(3) **SECRETARY.**—The term "Secretary" means the Secretary of Agriculture, acting through the Chief of the Forest Service.

SEC. 4. DISPOSAL OF NATIONAL FOREST SYSTEM LAND FOR PUBLIC PURPOSES.

(a) **AUTHORITY.**—Upon receipt and approval of an application in writing, the Secretary may dispose of National Forest System land to a State or a political subdivision of a State as provided in this section on the condition that the parcel be used for recreational, educational and other public purposes, as determined by the Secretary.

(b) **CONDITIONS OF DISPOSAL, TRANSFER OF TITLE, OR CHANGE IN USE.**—Before any parcel may be disposed of or any application for a transfer of title to or a change in use of a parcel is approved under this section, the Secretary shall determine that—

(1) the parcel is to be used for an established or proposed project that is described in detail in the application to the Secretary, and that would serve public objectives (either locally or at large) that outweigh the objectives and values which would be served by maintaining such parcel in Federal ownership;

(2) the applicant is financially and otherwise capable of implementing the proposed project; and

(3) the acreage is not more than is reasonably necessary for the proposed use.

(c) **PUBLIC PARTICIPATION.**—The Secretary shall provide an opportunity for public participation in a disposal under this section, including at least one public hearing or meeting, to provide for public comments.

(d) **REVIEW OF APPLICATIONS.**—

(A) **IN GENERAL.**—When the Secretary receives an application under this section to convey a parcel for recreational, educational, or other public purposes related to emergency services, the Secretary shall—

(A) before the end of the 14-day period beginning on the date of the receipt of the application, provide notice of that receipt to the applicant; and

(B) before the end of the 120-day period beginning on that date—

(i) make a final determination whether or not to convey land pursuant to the application, and notify the applicant of that determination; or

(ii) submit written notice to the applicant containing the reasons why a final determination has not been made.

(2) **OTHER APPLICATIONS.**—When the Secretary receives an application under this section to convey a parcel for any public purposes other than those under paragraph (1), the Secretary shall—

(A) before the end of the 14-day period beginning on the date of the receipt of the application, provide notice of that receipt to the applicant; and

(B) take reasonable actions necessary to make a final determination whether or not to convey land pursuant to the application, and notify the applicant of that determination, to the extent practicable, before the end of the 180-day period beginning on that date.

(e) **PARCELS WITHDRAWN IN AID OF FUNCTIONS OF FEDERAL AND STATE AGENCIES.**—If a parcel has been withdrawn in aid of a function of a Federal agency other than the Department of Agriculture or of an agency of a State or political subdivision of a State (including a water district), the Secretary may dispose of the parcel under this section only with the consent of the agency.

(f) **CONVEYANCES AND LEASES.**—

(1) **CONVEYANCES.**—The Secretary may convey a parcel to the State or a political subdivision of a State in which the parcel is located if the proposed use is not inconsistent with the land allocations within applicable land and resource management plans under the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600 et seq.).

(2) **LEASES.**—The Secretary may lease a parcel to the State or a political subdivision of a State in which the parcel is located, at a reasonable annual rental, for a period up to 25 years, and, at the discretion of the Secretary, with a privilege of renewal for a like period, if the proposed use is not inconsistent with the land allocations within applicable land and resource management plans under the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600 et seq.).

(3) **CONSIDERATION.**—The conveyance or lease of a parcel for purposes under this section shall be made at a price to be fixed by the Secretary, consistent with the pricing structure established by the Secretary of the Interior under the Act of June 14, 1926 (43 U.S.C. 869 et seq.).

(g) **ACREAGE LIMITATIONS AND PROPERTY DESCRIPTIONS.**—

(1) **ACREAGE LIMITATIONS.**—A conveyance under this section may not exceed 100 acres, unless the parcel contains facilities that have been determined by the Secretary to be suitable for disposal under the authority of the General Services Administration. This limitation shall not be construed to preclude an entity from submitting subsequent applications under this section for additional land conveyances if the entity can demonstrate to the Secretary a need for additional land.

(2) **DESCRIPTION OF PROPERTY.**—If necessary, the exact acreage and legal description of the real property conveyed under this subsection shall be determined by a survey satisfactory to the Secretary and the applicant. The cost of the survey shall be borne by the applicant.

(3) **RECREATION AND PURPOSES ACT.**—Section 1 of the Act of June 14, 1926 (commonly known as the "Recreation and Public Purposes Act"; 43 U.S.C. 869), as amended, is further amended by adding at the end the following:

"(d) **DESCRIPTION OF PROPERTY.**—If necessary, the exact acreage and legal description of the real property conveyed under this section shall be determined by a survey satisfactory to the Secretary and the applicant. The cost of the survey shall be borne by the applicant.".

(h) **RESERVATION OF MINERAL RIGHTS.**—Each conveyance or lease under this section shall contain a reservation to the United States of all mineral deposits in the parcel conveyed or leased and of the right to mine and remove the mineral deposits under applicable laws (including regulations).

(i) **USE OF THE LEASED LAND FOR UNAUTHORIZED PURPOSES.**—Each lease under this section shall contain a provision for termination of the lease on a finding by the Secretary that—

(1) the parcel has not been used by the lessee as specified in the lease of a period greater than 5 years; or

(2) the parcel or any part of the parcel is being devoted to a use other than that for which the lease was made.

(j) **CONDITIONS OF CONVEYANCE; REVERSION FOR NONCOMPLIANCE.**—

(A) **TRANSFER OF TITLE.**—

(i) **IN GENERAL.**—Except as provided in clause (ii), title to a parcel conveyed by the Secretary

under this section may not be transferred by the grantee or a successor of the grantee.

(ii) **EXCEPTION.**—With the consent of the Secretary in accordance with this section, title to a parcel may be transferred to the State or a political subdivision of the State in which the parcel is located.

(B) **USE.**—

(i) **IN GENERAL.**—Except as provided in clause (ii), a grantee or a successor of the grantee may not change the use specified in the conveyance of a parcel under this section to another or additional use.

(ii) **EXCEPTION.**—Upon application and appropriate public participation, the Secretary may approve a change in use of a parcel to another recreational, educational or other public use, in accordance with this section.

(2) **REVERSION FOR NONCOMPLIANCE.**—If at any time after a parcel is conveyed by the Secretary, the grantee or a successor of the grantee, without the consent of the Secretary, attempts to transfer title to or control over the parcel to another person or entity or to devote the parcel to a use other than that for which the parcel was conveyed, title to the parcel shall revert to the United States.

(k) **PRIOR CONVEYANCES.**—On application by the State or a political subdivision of the State in which the parcel is located, the Secretary may authorize a transfer of title or a change in use in accordance with subsection (j) with respect to any parcel conveyed under this section or any other law.

(l) **SOLID WASTE DISPOSAL SITES.**—

(1) **CONVEYANCE FOR THE PURPOSES OF SOLID WASTE DISPOSAL.**—If the Secretary receives an application for conveyance of a parcel under this section for the purpose of solid waste disposal or for another purpose that the Secretary finds may include the disposal, placement, or release of any hazardous substance, the Secretary may convey the parcel subject only to this subsection.

(2) **INVESTIGATION.**—

(A) **IN GENERAL.**—Before any conveyance of a parcel under this subsection, the Secretary shall investigate the parcel to determine whether any hazardous substance is present on the parcel.

(B) **ELEMENTS OF AN INVESTIGATION.**—An investigation under subparagraph (A) shall include—

(i) a review of any available records of the use of the parcel; and

(ii) all appropriate analyses of the soil, water and air associated with the parcel.

(C) **PRESENCE OF A HAZARDOUS SUBSTANCE.**—A parcel shall not be conveyed under this subsection if the investigation indicates that any hazardous substance is present on the parcel.

(3) **SUBMISSION TO OTHER STATE AND FEDERAL AGENCIES.**—No application for conveyance under this subsection shall be acted on by the Secretary until the applicant has furnished evidence, satisfactory to the Secretary, that a copy of the application and information concerning the proposed use of the parcel covered by the application has been provided to the Environmental Protection Agency and to all other State and Federal agencies with responsibility for enforcement of Federal and State laws applicable to land used for the disposal, placement, or release of solid waste or any hazardous substance.

(4) **WARRANTY.**—No application for conveyance under this subsection shall be acted on by the Secretary until the applicant gives a warranty that—

(A) use of the parcel covered by the application will be consistent with all applicable Federal and State laws, including laws dealing with the disposal, placement, or release of hazardous substances; and

(B) the applicant will hold the United States harmless from any liability that may arise out of any violation of any such law.

(5) **REQUIREMENTS.**—A conveyance under this subsection shall be made to the extent that the applicant demonstrates to the Secretary that the

parcel covered by an application meets all applicable State and local requirements and is appropriate in character and reasonable in acreage in order to meet an existing or reasonably anticipated need for solid waste disposal or for another proposed use that the Secretary finds may include the disposal, placement, or release of any hazardous substance.

(6) CONDITIONS.—

(A) IN GENERAL.—A conveyance of a parcel under this subsection shall be subject to the conditions stated in this paragraph.

(B) REVERTER.—

(i) IN GENERAL.—The instrument of conveyance shall provide that the parcel shall revert to the United States unless substantially all of the parcel has been used, on or before the date that is 5 years after the date of conveyance, for the purpose specified in the application, or for other use or uses authorized under subsection (b) with the consent of the Secretary.

(ii) LIMITATION.—No portion of a parcel that has been used for solid waste disposal or for any other purpose that the Secretary finds may result in the disposal, placement, or lease of a hazardous substance shall revert to the United States.

(C) PAYMENT TO THE SECRETARY ON FURTHER CONVEYANCE.—If at any time after conveyance any portion of a parcel has not been used for the purpose specified in the application, and the entity to which the parcel was conveyed by the Secretary transfers ownership of the unused portion to any other person or entity, transferee shall be liable to pay the Secretary the fair market value of the transferred portion as of the date of the transfer, including the value of any improvements thereon.

(D) USE OF PAYMENTS.—Subject to the availability of appropriations, all amounts received by the Secretary under subparagraph (C) shall be retained by the Secretary, shall be available to the Secretary for use for the management of National Forest System land, and shall remain available until expended.

The committee amendment in the nature of a substitute was agreed to.

The bill (H.R. 150), as amended, was passed.

NATIONAL HISTORIC PRESERVATION ACT AMENDMENTS

The Senate proceeded to consider the bill (H.R. 834) to extend the authorization for the National Historic Preservation Fund, and for other purposes, which had been reported from the Committee on Energy and Natural Resources, with an amendment to strike all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Historic Preservation Act Amendments of 1999".

SEC. 2. REAUTHORIZATION OF HISTORIC PRESERVATION FUND.

Section 108 of the National Historic Preservation Act (16 U.S.C. 470h) is amended by striking "1997" and inserting "2005".

SEC. 3. REAUTHORIZATION OF ADVISORY COUNCIL ON HISTORIC PRESERVATION.

Section 212(a) of the National Historic Preservation Act (16 U.S.C. 470t(a)) is amended by striking "2000" and inserting "2005".

SEC. 4. LOCATION OF FEDERAL FACILITIES ON HISTORIC PROPERTIES.

Section 110(a)(1) of the National Historic Preservation Act (16 U.S.C. 470h-2(a)(1)) is amended in the second sentence by striking "agency," and inserting "agency, in accordance with Executive Order 13006, issued May 21, 1996 (61 F.R. 26071)".

SEC. 5. TECHNICAL AND CONFORMING AMENDMENTS.

(a) The National Historic Preservation Act (16 U.S.C. 470 et seq.) is amended as follows—

(1) in section 101(d)(2)(D)(ii) (16 U.S.C. 470a(d)(2)(D)(ii)) by striking "Officer," and inserting "Officer; and";

(2) by amending section 101(e)(2) (16 U.S.C. 470a(e)(2)) to read as follows:

"(2) The Secretary may administer grants to the National Trust for Historic Preservation in the United States, chartered by an Act of Congress approved October 26, 1949 (63 Stat. 947) consistent with the purposes of its charter and this Act.;"

(3) in section 101(e)(3)(A)(iii) (16 U.S.C. 470a(e)(3)(A)(iii)) by striking "preservation; and" and inserting "preservation, and";

(4) in section 101(j)(2)(C) (16 U.S.C. 470a(j)(2)(C)) by striking "programs;" and inserting "programs; and";

(5) in section 102(a)(3) (16 U.S.C. 470b(a)(3)) by striking "year." and inserting "year,;"

(6) in section 103(a) (16 U.S.C. 470c(a))—

(A) by striking "purposes of this Act" and inserting "purposes of this Act;" and

(B) by striking "him:" and inserting "him,;"

(7) in section 108 (16 U.S.C. 470h) by striking "(43 U.S.C. 338)" and inserting "(43 U.S.C. 1338)";

(8) in section 110(1) (16 U.S.C. 470h-2(1)) by striking "with the Council" and inserting "pursuant to regulations issued by the Council";

(9) in section 112(b)(3) (16 U.S.C. 470h-4(b)(3)) by striking "(25 U.S.C. 3001(3) and (9))" and inserting "(25 U.S.C. 3001 (3) and (9))";

(10) in section 301(12)(C)(iii) (16 U.S.C. 470w(12)(C)(iii)) by striking "Officer, and" and inserting "Officer; and";

(11) in section 307(a) (16 U.S.C. 470w-6(a)) by striking "Except as provided in subsection (b) of this section, no" and inserting "No";

(12) in section 307(c) (16 U.S.C. 470w-6(c)) by striking "Except as provided in subsection (b) of this section, the" and inserting "The";

(13) in section 307 (16 U.S.C. 470w-6) by redesignating subsections (c) through (f), as amended, as subsections (b) through (e), respectively; and

(14) in subsection 404(c)(2) (16 U.S.C. 470x-3(c)(2)) by striking "organizations, and" and inserting "organizations; and".

(b) Section 114 of Public Law 96-199 (94 Stat. 71) is amended by striking "subsection 6(c)" and inserting "subsection 206(c)".

Amend the title so as to read: "A bill to extend the authorization for the Historic Preservation Fund and the Advisory Council on Historic Preservation, and for other purposes."

The committee amendment in the nature of a substitute was agreed to.

The bill (H.R. 834), as amended, was passed.

CONVEYANCE OF NATIONAL FOREST LAND TO ELKO COUNTY, NEVADA

The bill (H.R. 1231) to direct the Secretary of Agriculture to convey certain National Forest lands to Elko County, Nevada, for continued use as a cemetery, was considered, ordered to a third reading, read the third time, and passed.

H.R. 1231

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

SECTION 1. CONVEYANCE OF NATIONAL FOREST LANDS TO ELKO COUNTY, NEVADA, FOR USE AS CEMETERY.

(a) REQUIREMENT TO CONVEY.—The Secretary of Agriculture shall convey, without consideration, to Elko County, Nevada, all right, title, and interest of the United States in and to the real property described in subsection (b).

(b) DESCRIPTION OF PROPERTY.—

(1) IN GENERAL.—The property referred to in subsection (a) consists of: (A) a parcel of National Forest lands (including any improvements thereon) in Elko County, Nevada, known as Jarbidge Cemetery, consisting of approximately 2 acres within the following described lands: NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, S. 9 T. 46 N, R. 58 E., MDB&M, which shall be used as a cemetery; and (B) the existing bridge over the Jarbidge River that provides access to that parcel, and the road from the bridge to the parcel as depicted on the map entitled 'Elko County Road and Bridge Conveyance' dated July 27, 1999.

(2) SURVEY.—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary. As a condition of any conveyance under this section, the Secretary shall require that the cost of the survey shall be borne by the County.

(c) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions with respect to the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States, except that the Secretary may not retain for the United States any reversionary interest in property conveyed under this section.

IRRIGATION MITIGATION AND RESTORATION PARTNERSHIP ACT OF 1999

The Senate proceeded to consider the bill (H.R. 1444) to authorize the Secretary of the Interior to plan, design, and construct fish screens, fish passage devices, and related features to mitigate adverse impacts associated with irrigation system water diversions by local governmental entities in the State of Oregon, Washington, Montana, Idaho, and California, which had been reported from the Committee on Energy and Natural Resources, with an amendment to strike all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Irrigation Mitigation and Restoration Partnership Act of 1999".

SEC. 2. DEFINITIONS.

In this Act:

(1) **PACIFIC OCEAN DRAINAGE AREA.**—The term "Pacific Ocean drainage area" means the area comprised of portions of the States of Oregon, Washington, Montana, and Idaho from which water drains into the Pacific Ocean.

(2) **PROGRAM.**—The term "Program" means the Irrigation Mitigation and Restoration Partnership Program established by section 3(a).

(3) **SECRETARY.**—The term "Secretary" means the Secretary of the Interior.

SEC. 3. ESTABLISHMENT OF THE PARTNERSHIP PROGRAM.

(a) **ESTABLISHMENT.**—There is established the Irrigation Mitigation and Restoration Partnership Program within the Department of the Interior.

(b) **GOALS.**—The goals of the Program are—

(1) to decrease fish mortality associated with the withdrawal of water for irrigation and other purposes without impairing the continued withdrawal of water for those purposes; and

(2) to decrease the incidence of juvenile and adult fish entering water supply systems.

(c) **IMPACTS ON FISHERIES.**—

(1) **IN GENERAL.**—Under the Program, the Secretary, in consultation with the heads of other