

appropriate agencies, shall develop and implement projects to mitigate impacts to fisheries resulting from the construction and operation of water diversions by local governmental entities, including water and soil conservation districts, in the Pacific Ocean drainage area.

(2) **TYPES OF PROJECTS.**—Projects eligible under the Program may include the development, improvement, or installation of—

- (A) fish screens;
- (B) fish passage devices;
- (C) other facilities agreed to by non-Federal interests, relevant Federal and tribal agencies, and affected States; and
- (D) inventories by the States on the need and priority for projects described in subparagraphs (A) through (C).

(3) **PRIORITY.**—The Secretary shall give priority to any project that has a total cost of less than \$5,000,000.

#### SEC. 4. PARTICIPATION IN THE PROGRAM.

(a) **NON-FEDERAL.**—

(1) **IN GENERAL.**—Non-Federal participation in the Program shall be voluntary.

(2) **FEDERAL ACTION.**—The Secretary shall take no action that would result in any non-Federal entity being held financially responsible for any action under the Program, unless the entity applies to participate in the Program.

(b) **FEDERAL.**—Development and implementation of projects under the Program on land or facilities owned by the United States shall be nonreimbursable Federal expenditures.

#### SEC. 5. EVALUATION AND PRIORITIZATION OF PROJECTS.

Evaluation and prioritization of projects for development under the Program shall be conducted on the basis of—

- (1) benefits to fish species native to the project area, particularly to species that are listed as being, or considered by Federal or State authorities to be, endangered, threatened, or sensitive;
- (2) the size and type of water diversion;
- (3) the availability of other funding sources;
- (4) cost effectiveness; and
- (5) additional opportunities for biological or water delivery system benefits.

#### SEC. 6. ELIGIBILITY REQUIREMENTS.

(a) **IN GENERAL.**—A project carried out under the Program shall not be eligible for funding unless—

- (1) the project meets the requirements of the Secretary, as applicable, and any applicable State requirements; and
- (2) the project is agreed to by all Federal and non-Federal entities with authority and responsibility for the project.

(b) **DETERMINATION OF ELIGIBILITY.**—In determining the eligibility of a project under this Act, the Secretary shall—

- (1) consult with other Federal, State, tribal, and local agencies; and
- (2) make maximum use of all available data.

#### SEC. 7. COST SHARING.

(a) **NON-FEDERAL SHARE.**—The non-Federal share of the cost of development and implementation of any project under the Program on land or at a facility that is not owned by the United States shall be 35 percent.

(b) **NON-FEDERAL CONTRIBUTIONS.**—The non-Federal participants in any project under the Program on land or at a facility that is not owned by the United States shall provide all land, easements, rights-of-way, dredged material disposal areas, and relocations necessary for the project.

(c) **CREDIT FOR CONTRIBUTIONS.**—The value of land, easements, rights-of-way, dredged material disposal areas, and relocations provided under subsection (b) for a project shall be credited toward the non-Federal share of the costs of the project.

(d) **ADDITIONAL COSTS.**—

(1) **NON-FEDERAL RESPONSIBILITIES.**—The non-Federal participants in any project carried out under the Program on land or at a facility that is not owned by the United States shall be re-

sponsible for all costs associated with operating, maintaining, repairing, rehabilitating, and replacing the project.

(2) **FEDERAL RESPONSIBILITY.**—The Federal Government shall be responsible for costs referred to in paragraph (1) for projects carried out on Federal land or at a Federal facility.

#### SEC. 8. LIMITATION ON ELIGIBILITY FOR FUNDING.

A project that receives funds under this Act shall be ineligible to receive Federal funds from any other source for the same purpose.

#### SEC. 9. REPORT.

On the expiration of the third fiscal year for which amounts are made available to carry out this Act, the Secretary shall submit to Congress a report describing—

(1) the projects that have been completed under this Act;

(2) the projects that will be completed with amounts made available under this Act during the remaining fiscal years for which amounts are authorized to be appropriated under section 10; and

(3) recommended changes to the Program as a result of projects that have been carried out under this Act.

#### SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

(a) **IN GENERAL.**—There is authorized to be appropriated to carry out this Act \$25,000,000 for each of fiscal years 2001 through 2005.

(b) **LIMITATIONS.**—

(1) **SINGLE STATE.**—

(A) **IN GENERAL.**—Except as provided in subparagraph (B), not more than 25 percent of the total amount of funds made available under this section may be used for 1 or more projects in any single State.

(B) **WAIVER.**—On notification to Congress, the Secretary may waive the limitation under subparagraph (A) if a State is unable to use the entire amount of funding made available to the State under this Act.

(2) **ADMINISTRATIVE EXPENSES.**—Not more than 6 percent of the funds authorized under this section for any fiscal year may be used for Federal administrative expenses of carrying out this Act.

Amend the title so as to read: "A bill to authorize the Secretary of the Interior to establish a program to plan, design, and construct facilities to mitigate impacts associated with irrigation system water diversions by local governmental entities in the Pacific Ocean drainage of the States of Oregon, Washington, Montana, and Idaho."

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

The bill (H.R. 455), as amended, was passed.

#### BIKINI RESETTLEMENT AND RELOCATION ACT OF 1999

The bill (H.R. 2368) to assist in the resettlement and relocation of the people of Bikini Atoll by amending the terms of the trust fund established during the United States administration of the Trust Territory of the Pacific Islands, was considered, ordered to a third reading, read the third time, and passed.

H.R. 2368

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 "Bikini Resettlement and Relocation Act of 1999".

#### SEC. 2. PARTIAL DISTRIBUTION OF TRUST FUND AMOUNTS.

Three percent of the market value as of June 1, 1999, of the Resettlement Trust Fund for the People of Bikini, established pursu-

ant to Public Law 97-257, shall be made available for immediate ex gratia distribution to the people of Bikini, provided such distribution does not reduce the corpus of the trust fund. The amount of such distribution shall be deducted from any additional ex gratia payments that may be made by the Congress into the Resettlement Trust Fund.

#### RELEASE OF REVERSIONARY INTERESTS IN WASHINGTON, UTAH

The bill (H.R. 2862) to direct the Secretary of the Interior to release reversionary interests held by the United States in certain parcels of lands in Washington County, Utah, to facilitate an anticipated land exchange, was considered, ordered to a third reading, read the third time, and passed.

H.R. 2862

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

#### SECTION 1. RELEASE OF REVERSIONARY INTERESTS IN CERTAIN PROPERTY IN WASHINGTON COUNTY, UTAH.

(a) **RELEASE REQUIRED.**—The Secretary of the Interior shall release, without consideration, the reversionary interests of the United States in certain real property located in Washington County, Utah, and depicted on the map entitled "Exchange Parcels, Gardner & State of Utah Property", dated April 21, 1999, to facilitate a land exchange to be conducted by the State of Utah involving the property.

(b) **INSTRUMENT OF RELEASE.**—The Secretary shall execute and file in the appropriate office or offices a deed of release, amended deed, or other appropriate instrument effectuating the release of the reversionary interests required by this section.

#### TREATMENT OF CERTAIN LAND IN RED CLIFFS DESERT, UTAH ACQUIRED BY EXCHANGE

The bill (H.R. 2863) to clarify the legal effect on the United States of the acquisition of a parcel of land in the Red Cliffs Desert Reserve in the State of Utah, was considered, ordered to a third reading, read the third time, and passed.

H.R. 2863

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

#### SECTION 1. TREATMENT OF CERTAIN LAND IN RED CLIFFS DESERT RESERVE, UTAH, ACQUIRED BY EXCHANGE.

(a) **LIMITATION ON LIABILITY.**—In support of the habitat conservation plan of Washington County, Utah, for the protection of the desert tortoise and surrounding habitat, the transfer of the land described in subsection (b) from the City of St. George, Utah, to the United States shall convey no liability on the United States that did not already exist with the United States on the date of the transfer of the land.

(b) **DESCRIPTION OF LAND.**—The land referred to in subsection (a) is a parcel of approximately 15 acres of land located within the Red Cliffs Desert Reserve in Washington County, Utah, that was formerly used as a landfill by the City of St. George.

# CONVEYANCE OF CERTAIN BUREAU OF LAND MANAGEMENT LANDS IN CARSON CITY, NEVADA

The bill (S. 408) to direct the Secretary of the Interior to convey a former Bureau of Land Management administrative site to the City of Carson City, Nevada, for use as a senior center, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 408

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

## SECTION 1. CONVEYANCE OF CERTAIN BUREAU OF LAND MANAGEMENT LANDS IN CARSON CITY, NEVADA.

(a) CONVEYANCE.—Not later than 120 days after the date of enactment of this Act, the Secretary of the Interior, acting through the Director of the Bureau of Land Management, shall convey to the City of Carson City, Nevada, without consideration, all right, title, and interest of the United States in the property described as Government lot 1 in sec. 8, T. 15 N., R. 20 E., Mount Diablo Meridian, as shown on the Bureau of Land Management official plat approved October 28, 1996, containing 4.48 acres, more or less, and assorted uninhabitable buildings and improvements.

(b) USE.—The conveyance of the property under subsection (a) shall be subject to reversion to the United States if the property is used for a purpose other than the purpose of a senior assisted living center or a related public purpose.

## LANDUSKY SCHOOL LOTS TRANSFER

The Senate proceeded to consider the bill (S. 1218) to direct the Secretary of the Interior to issue to the Landusky School District, with consideration, a patent for the surface and mineral estates of certain lots, 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:

S. 1218

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

*That subject to valid existing rights, the Secretary of the Interior shall issue to the Landusky School District, without consideration, a patent for the surface and mineral estates of approximately 2.06 acres of land as follows: T. 25 N., R. 24 E., Montana Prime Meridian, section 27 block 2, school reserve, and section 27, block 3, lot 13.*

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

The bill (S. 1218), as amended, was passed.

## OREGON LAND EXCHANGE ACT OF 1999

The Senate proceeded to consider the bill (S. 1629) to provide for the exchange of certain land in the State of Oregon, 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 "Oregon Land Exchange Act of 2000".

### SEC. 2. FINDINGS.

Congress finds that—

(1) certain parcels of private land located in northeast Oregon are intermingled with land owned by the United States and administered—

(A) by the Secretary of the Interior as part of the Central Oregon Resource Area in the Prineville Bureau of Land Management District and the Baker Resource Area in the Vale Bureau of Land Management District; and

(B) by the Secretary of Agriculture as part of the Malheur National Forest, the Wallowa-Whitman National Forest, and the Umatilla National Forest;

(2) the surface estate of the private land described in paragraph (1) is intermingled with parcels of land that are owned by the United States or contain valuable fisheries and wildlife habitat desired by the United States;

(3) the consolidation of land ownerships will facilitate sound and efficient management for both public and private lands;

(4) the improvement of management efficiency through the land tenure adjustment program of the Department of the Interior, which disposes of small isolated tracts having low public resource values within larger blocks of contiguous parcels of land, would serve important public objectives, including—

(A) the enhancement of public access, aesthetics, and recreation opportunities within or adjacent to designated wild and scenic river corridors;

(B) the protection and enhancement of habitat for threatened, endangered, and sensitive species within unified landscapes under Federal management; and

(C) the consolidation of holdings of the Bureau of Land Management and the Forest Service—

(i) to facilitate more efficient administration, including a reduction in administrative costs to the United States; and

(ii) to reduce right-of-way, special use, and other permit processing and issuance for roads and other facilities on Federal land;

(5) time is of the essence in completing a land exchange because further delays may force the identified landowners to construct roads in, log, develop, or sell the private land and thereby diminish the public values for which the private land is to be acquired; and

(6) it is in the public interest to complete the land exchanges at the earliest practicable date so that the land acquired by the United States can be preserved for—

(A) protection of threatened and endangered species habitat; and

(B) permanent public use and enjoyment.

### SEC. 3. DEFINITIONS.

As used in this Act—

(1) the term "Clearwater" means Clearwater Land Exchange—Oregon, an Oregon partnership that signed the document entitled "Assembled Land Exchange Agreement between the Bureau of Land Management and Clearwater Land Exchange—Oregon for the Northeast Oregon Assembled Lands Exchange, OR 51858," dated October 30, 1996, and the document entitled "Agreement to initiate" with the Forest Service, dated June 30, 1995, or its successors or assigns;

(2) the term "identified landowners" means private landowners identified by Clearwater and willing to exchange private land for Federal land in accordance with this Act;

(3) the term "map" means the map entitled "Northeast Oregon Assembled Land Exchange/Triangle Land Exchange", dated November 5, 1999; and

(4) the term "Secretary" means the Secretary of the Interior or the Secretary of Agriculture, as appropriate.

### SEC. 4. BLM—NORTHEAST OREGON ASSEMBLED LAND EXCHANGE.

(a) IN GENERAL.—Upon the request of Clearwater, on behalf of the appropriate identified

landowners, the Secretary of the Interior shall exchange the Federal lands described in subsection (b) for the private lands described in subsection (c), as provided in section 6.

(b) BLM LANDS TO BE CONVEYED.—The parcels of Federal lands to be conveyed by the Secretary to the appropriate identified landowners are as follows:

(1) the parcel comprising approximately 45,824 acres located in Grant County, Oregon, within the Central Oregon Resource Area in the Prineville District of the Bureau of Land Management, as generally depicted on the map;

(2) the parcel comprising approximately 2,755 acres located in Wheeler County, Oregon, within the Central Oregon Resource Area in the Prineville District of the Bureau of Land Management, as generally depicted on the map;

(3) the parcel comprising approximately 726 acres located in Morrow County, Oregon, within the Baker Resource Area of the Vale District of Land Management, as generally depicted on the map; and

(4) the parcel comprising approximately 1,015 acres located in Umatilla County, Oregon, within the Baker Resource Area in the Vale District of the Bureau of Land Management, as generally depicted on the map.

(c) PRIVATE LANDS TO BE ACQUIRED.—The parcel of private lands to be conveyed by the appropriate identified landowners to the Secretary are as follows:

(1) the parcel comprising approximately 31,646 acres located in Grant County, Oregon, within the Central Oregon Resource Area in the Prineville District of the Bureau of Land Management, as generally depicted on the map;

(2) the parcel comprising approximately 1,960 acres located in Morrow County, Oregon, within the Baker Resource Area in the Vale District of the Bureau of Land Management, as generally depicted on the map; and

(3) the parcel comprising approximately 10,544 acres located in Umatilla County, Oregon, within the Baker Resource Area in the Vale District of the Bureau of Land Management, as generally depicted on the map.

### SEC. 5. FOREST SERVICE—TRIANGLE LAND EXCHANGE.

(a) IN GENERAL.—Upon the request of Clearwater, on behalf of the appropriate identified landowners, the Secretary of Agriculture shall exchange the Federal lands described in subsection (b) for the private lands described in subsection (c), as provided in section 6.

(b) FOREST SERVICE LANDS TO BE CONVEYED.—The National Forest System lands to be conveyed by the Secretary to the appropriate identified landowners comprise approximately 3,901 acres located in Grant and Harney Counties, Oregon, within the Malheur National Forest, as generally depicted on the map.

(c) PRIVATE LANDS TO BE ACQUIRED.—The parcels of private lands to be conveyed by the appropriate identified landowners to the Secretary are as follows:

(1) the parcel comprising approximately 3,752 acres located in Grant and Harney Counties, Oregon, within the Malheur National Forest, as generally depicted on the map;

(2) the parcel comprising approximately 1,702 acres located in Baker and Grant Counties, Oregon, within the Wallowa-Whitman National Forest, as generally depicted on the map; and

(3) the parcel comprising approximately 246 acres located in Grant and Wallowa Counties, Oregon, within or adjacent to the Umatilla National Forest, as generally depicted on the map.

### SEC. 6. LAND EXCHANGE TERMS AND CONDITIONS.

(a) IN GENERAL.—Except as otherwise provided in this Act, the land exchanges implemented by this Act shall be conducted in accordance with section 206 of the Federal Land Policy and Management Act (43 U.S.C. 1716) and other applicable laws.

(b) MULTIPLE TRANSACTIONS.—The Secretary of the Interior and the Secretary of Agriculture