

The PRESIDING OFFICER. Without objection, it is so ordered.

MIWALETA PARK EXPANSION ACT

The Senate proceeded to consider the bill (H.R. 1725) to provide for the conveyance by the Bureau of Land Management to Douglas County, OR, of a county park and certain adjacent land.

AMENDMENT NO. 4290

(Purpose: To add clarifying language related to management of conveyed lands)

On page 3, beginning on line 6 strike Section 2(b)(1) and insert:

“(1) IN GENERAL.—After conveyance of land under subsection (a), the County shall manage the land for public park purposes consistent with the plan for expansion of the Miwaleta Park as approved in the Decision Record for Galesville Campground, EA #OR110-99-01, dated September 17, 1999.”.

Section 2(b)(2)(A) strike “purposes—” and insert: “purposes as described in paragraph 2(b)(1)—”.

The amendment (No. 4290) was agreed to.

The bill (H.R. 1725), as amended, was read the third time and passed.

SAINT-GAUDENS NATIONAL HISTORIC SITE MODIFICATIONS

The Senate proceeded to consider the bill (S. 1367) to amend the act which established the Saint-Gaudens National Historic Site, in the State of New Hampshire, by modifying the boundary and for other purposes, which had been reported from the Committee on Energy and Natural Resources, with an amendment to omit the parts in black brackets and insert the parts printed in italic.

S. 1367

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That [the Act of August 31, 1964 (78 Stat. 749),] Public Law 88-543 (16 U.S.C. 461 (note)), which established Saint-Gaudens National Historic Site is amended—

(1) in section 3 by striking “not to exceed sixty-four acres of lands and interests therein” and inserting “215 acres of lands and buildings, or interests therein”;

(2) in section 6 by striking “\$2,677,000” from the first sentence and inserting “\$10,632,000”; and

(3) in section 6 by striking “\$80,000” from the last sentence and inserting “\$2,000,000”.

AMENDMENT NO. 4291

(Purpose: Technical and clarifying corrections)

On page 2, line 3, strike “215” and insert in lieu thereof “279”.

The amendment (No. 4291) was agreed to.

The committee amendment was agreed to.

The bill (S. 1367), as amended, was read the third time and passed, as follows:

S. 1367

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Public Law 88-543 (16 U.S.C. 461 (note)), which established Saint-Gaudens National Historic Site is amended—

(1) in section 3 by striking “not to exceed sixty-four acres of lands and interests there-

in” and inserting “279 acres of lands and buildings, or interests therein”;

(2) in section 6 by striking “\$2,677,000” from the first sentence and inserting “\$10,632,000”; and

(3) in section 6 by striking “\$80,000” from the last sentence and inserting “\$2,000,000”.

CONSTRUCTION OF THE SOUTHEASTERN ALASKA INTERTIE SYSTEM

The Senate proceeded to consider the bill (S. 2439) to authorize the appropriation of funds for the construction of the Southeastern Alaska Intertie system, and for other purposes.

The amendment (No. 4292) was agreed to, as follows:

AMENDMENT NO. 4292

(Purpose: To limit the authorization for the Southeastern Alaska Intertie and provide an authorization for Navajo electrification)

Strike all after the enacting clause and insert the following:

“That upon the completion and submission to the United States Congress by the Forest Service of the ongoing High Voltage Direct Current viability analysis pursuant to USFS Collection Agreement #00CO-111005-105 or no later than February 1, 2001, there is hereby authorized to be appropriated to the Secretary of Energy such sums as may be necessary to assist in the construction of the Southeastern Alaska Intertie system as generally identified in Report #97-01 of the Southeast Conference. Such sums shall equal 80 percent of the cost of the system and may not exceed \$384 million. Nothing in this Act shall be construed to limit or waive any otherwise applicable State or Federal Law.

“SEC. 2. NAVAJO ELECTRIFICATION DEMONSTRATION PROGRAM.

“(a) ESTABLISHMENT.—The Secretary of Energy shall establish a five year program to assist the Navajo Nation to meet its electricity needs. The purpose of the program shall be to provide electric power to the estimated 18,000 occupied structures on the Navajo Nation that lack electric power. The goal of the program shall be to ensure that every household on the Navajo Nation that requests it has access to a reliable and affordable source of electricity by the year 2006.

“(b) SCOPE.—In order to meet the goal in subsection (a), the Secretary of Energy shall provide grants to the Navajo Nation to—

“(1) extend electric transmission and distribution lines to new or existing structures that are not served by electric power and do not have adequate electric power service;

“(2) purchase and install distributed power generating facilities, including small gas turbines, fuel cells, solar photovoltaic systems, solar thermal systems, geothermal systems, wind power systems, or biomass-fueled systems;

“(3) purchase and install other equipment associated with the generation, transmission, distribution, and storage of electric power; or

“(4) provide training in the installation operation, or maintenance of the lines, facilities, or equipment in paragraphs (1) through (3); or

“(5) support other activities that the Secretary of Energy determines are necessary to meet the goal of the program.

“(c) TECHNICAL SUPPORT.—At the request of the Navajo Nation, the Secretary of Energy may provide technical support through Department of Energy laboratories and facilities to the Navajo Nation to assist in achieving the goal of this program.

“(d) ANNUAL REPORTS.—Not later than February 1, 2002 and for each of the five succeeding years, the Secretary of Energy shall submit a report to Congress on the status of the programs and the progress towards meeting its goal under subsection (a).

“(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Energy to carry out this section \$15,000,000 for each of the fiscal years 2002 through 2006.”

The bill (S. 2439), as amended, was read the third time and passed, as follows:

S. 2439

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

SECTION 1. SOUTHEASTERN ALASKA INTERTIE AUTHORIZATION LIMIT.

Upon the completion and submission to the United States Congress by the Forest Service of the ongoing High Voltage Direct Current viability analysis pursuant to United States Forest Service Collection Agreement #00CO-111005-105 or no later than February 1, 2001, there is hereby authorized to be appropriated to the Secretary of Energy such sums as may be necessary to assist in the construction of the Southeastern Alaska Intertie system as generally identified in Report #97-01 of the Southeast Conference. Such sums shall equal 80 percent of the cost of the system and may not exceed \$384,000,000. Nothing in this Act shall be construed to limit or waive any otherwise applicable State or Federal law.

SEC. 2. NAVAJO ELECTRIFICATION DEMONSTRATION PROGRAM.

(a) ESTABLISHMENT.—The Secretary of Energy shall establish a 5-year program to assist the Navajo nation to meet its electricity needs. The purpose of the program shall be to provide electric power to the estimated 18,000 occupied structures on the Navajo Nation that lack electric power. The goal of the program shall be to ensure that every household on the Navajo Nation that requests it has access to a reliable and affordable source of electricity by the year 2006.

(b) SCOPE.—In order to meet the goal in subsection (a), the Secretary of Energy shall provide grants to the Navajo Nation to—

(1) extend electric transmission and distribution lines to new or existing structures that are not served by electric power and do not have adequate electric power service;

(2) purchase and install distributed power generating facilities, including small gas turbines, fuel cells, solar photovoltaic systems, solar thermal systems, geothermal systems, wind power systems, or biomass-fueled systems;

(3) purchase and install other equipment associated with the generation, transmission, distribution, and storage of electric power;

(4) provide training in the installation, operation, or maintenance of the lines, facilities, or equipment in paragraphs (1) through (3); or

(5) support other activities that the Secretary of Energy determines are necessary to meet the goal of the program.

(c) TECHNICAL SUPPORT.—At the request of the Navajo Nation, the Secretary of Energy may provide technical support through Department of Energy laboratories and facilities to the Navajo Nation to assist in achieving the goal of this program.

(d) ANNUAL REPORTS.—Not later than February 1, 2002 and for each of the five succeeding years, the Secretary of Energy shall submit a report to Congress on the status of the programs and the progress towards meeting its goal under subsection (a).

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Energy to carry out this section \$15,000,000 for each of the fiscal years 2002 through 2006.

SAND CREEK MASSACRE NATIONAL HISTORIC SITE ESTABLISHMENT ACT OF 2000

The Senate proceeded to consider the bill (S. 2950) to authorize the Secretary of the Interior to establish the Sand Creek Massacre National Historic Site in the State of Colorado, which had been reported from the Committee on Energy and Natural Resources with amendments to omit the parts in black brackets and insert the parts printed in *italic*.

S. 2950

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 “Sand Creek Massacre National Historic Site Establishment Act of 2000”.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) on November 29, 1864, a peaceful village of Cheyenne and [Northern and Southern] Arapaho [Indians] *Indians under the leadership of Chief Black Kettle*, along Sand Creek in southeastern Colorado territory was attacked by approximately 700 volunteer soldiers commanded by Colonel John M. Chivington;

(2) more than 150 Cheyenne and Arapaho were killed in the attack, most of whom were women, children, or elderly;

(3) during the massacre and the following day, the soldiers committed atrocities on the dead before withdrawing from the field;

(4) the site of the Sand Creek Massacre is of great significance[,] to descendants of the victims of the massacre and their respective tribes, for the commemoration of ancestors at the site;

(5) the site is a reminder of the tragic extremes sometimes reached in the 500 years of conflict between Native Americans and people of European and other origins concerning the land that now comprises the United States;

(6) Congress, in enacting the Sand Creek Massacre National Historic Site Study Act of 1998 (Public Law 105-243; 112 Stat. 1579), directed the National Park Service to complete a resources study of the site;

(7) the study completed under that Act—

(A) identified the location and extent of the area in which the massacre took place; and

(B) confirmed the national significance, suitability, and feasibility of, and evaluated management options for, that area, including designation of the site as a unit of the National Park System; and

(8) the study included an evaluation of environmental impacts and preliminary cost estimates for facility development, administration, and necessary land acquisition.

(b) PURPOSES.—The purposes of this Act are—

(1) to recognize the importance of the Sand Creek Massacre as—

(A) a nationally significant element of frontier military and Native American history; and

(B) a symbol of the struggles of Native American tribes to maintain their way of life on ancestral land;

(2) to authorize, on acquisition of sufficient land, the establishment of the site of the Sand Creek Massacre as a national historic site; and

(3) to provide opportunities for [tribes] *for the tribes and the State* to be involved in the formulation of general management plans and educational programs for the national historic site.

SEC. 3. DEFINITIONS.

In this Act:

(1) DESCENDANT.—The term “descendant” means a member of a tribe, an ancestor of whom was injured or killed in, or otherwise affected by, the Sand Creek Massacre.

(2) MANAGEMENT PLAN.—The term “management plan” means the management plan required to be developed for the site under section 7(a).

(3) SECRETARY.—The term “Secretary” means the Secretary of the Interior, acting through the Director of the National Park Service.

(4) SITE.—The term “site” means the Sand Creek Massacre National Historic Site established under section 4(a).

(5) STATE.—The term “State” means the State of Colorado.

(6) TRIBE.—The term “tribe” means—

(A) the [Cheyenne Tribe] *Cheyenne and Arapaho Tribes* of Oklahoma;

[(B) the Arapaho Tribe of Oklahoma;

[(C) (B) the Northern Cheyenne Tribe; or

[(D) (C) the Northern Arapaho Tribe.

SEC. 4. ESTABLISHMENT.

(a) IN GENERAL.—

(1) DETERMINATION.—On a determination by the Secretary that land described in subsection (b)(1) containing a sufficient quantity of resources to provide for the preservation, memorialization, commemoration, and interpretation of the Sand Creek Massacre has been acquired by the National Park Service, the Secretary shall establish the Sand Creek Massacre National Historic Site, Colorado.

(2) PUBLICATION.—The Secretary shall publish in the Federal Register a notice of the determination of the Secretary under paragraph (1).

(b) BOUNDARY.—

(1) MAP AND ACREAGE.—The site shall consist of approximately 12,480 acres in Kiowa County, Colorado, the site of the Sand Creek Massacre, as generally depicted on the map entitled, “Boundary of the Sand Creek Massacre Site”, numbered, SAND 80,009 IR, and dated July 1, 2000.

(2) LEGAL DESCRIPTION.—The Secretary shall prepare a legal description of the land and interests in land described in paragraph (1).

(3) PUBLIC AVAILABILITY.—The map prepared under paragraph (1) and the legal description prepared under paragraph (2) shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(4) BOUNDARY REVISION.—The Secretary may, as necessary, make minor revisions to the boundary of the site in accordance with section 7(c) of the Land and Water Conservation Act of 1965 (16 U.S.C. 4601-9(c)).

SEC. 5. ADMINISTRATION.

(a) IN GENERAL.—The Secretary shall manage the site in accordance with—

(1) this Act;

(2) the Act entitled “An Act to establish a National Park Service, and for other purposes”, approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.);

(3) the Act of August 21, 1935 (16 U.S.C. 461 et seq.); and

(4) other laws generally applicable to management of units of the National Park System.

(b) MANAGEMENT.—The Secretary shall manage the site—

(1) to protect and preserve the site, including—

(A) the topographic features that the Secretary determines are important to the site;

(B) artifacts and other physical remains of the Sand Creek Massacre; and

(C) the cultural landscape of the site, in a manner that preserves, as closely as practicable, the cultural landscape of the site as it appeared at the time of the Sand Creek Massacre;

(2)(A) to interpret the natural and cultural resource values associated with the site; and

(B) provide for public understanding and appreciation of, and preserve for future generations, those values; and

(3) to memorialize, commemorate, and provide information to visitors to the site—

(A) enhance cultural understanding about the site; and

(B) assist in minimizing the chances of similar incidents in the future.

(c) CONSULTATION AND TRAINING.—

(1) IN GENERAL.—In developing the management plan and preparing educational programs for the public about the site, the Secretary shall consult [with the] *with and solicit advice and recommendations from the tribes and the State*.

(2) AGREEMENTS.—The Secretary may enter into cooperative agreements with the tribes (including boards, committees, enterprises, and traditional leaders of the tribes) and the State to carry out this Act.

SEC. 6. ACQUISITION OF PROPERTY.

(a) IN GENERAL.—The Secretary may acquire land and interests in land within the boundaries of the site—

(1) through purchase (including purchase with donated or appropriated funds) only from a willing seller; and

(2) by donation, exchange, or other means, except that any land or interest in land owned by the State (including a political subdivision of the State) may be acquired only by donation.

[(b) AGRICULTURE; RANCHING.—The Secretary shall permit traditional agricultural and ranching activities conducted at the site on the date of enactment of this Act to continue on privately owned land within the designated boundary of the site in effect on the date of enactment of this Act.

[(c) (b) PRIORITY FOR ACQUISITION.—The Secretary shall give priority to the acquisition of land containing the marker in existence on the date of enactment of this Act, which states “Sand Creek Battleground, November 29 and 30, 1864”, within the boundary of the site.

[(d) (c) COST-EFFECTIVENESS.—

(1) IN GENERAL.—In acquiring land for the site, the Secretary, to the maximum extent practicable, shall use cost-effective alternatives to Federal fee ownership, including—

(A) the acquisition of conservation easements; and

(B) other means of acquisition that are consistent with local zoning requirements.

(2) SUPPORT FACILITIES.—A support facility for the site that is not within the designated boundary of the site may be located in Kiowa County, Colorado, subject to an agreement between the Secretary and the Commissioners of Kiowa County, Colorado.

SEC. 7. MANAGEMENT PLAN.

(a) IN GENERAL.—Not later than 5 years after the date on which funds are made available to carry out this Act, the Secretary shall prepare a management plan for the site.

(b) INCLUSIONS.—The management plan shall cover, at a minimum—

(1) measures for the preservation of the resources of the site;

(2) requirements for the type and extent of development and use of the site, including, for each development—

(A) the general location;

(B) timing and implementation requirements; and