

his string of 47 consecutive games with a touchdown pass. That record is still unrivaled to this day. And no one has even come close.

He typified an athletic style that at times seems of a bygone era. He was famously hard-working, had a self-effacing manner, and was public spirited with an uncanny devotion to his adopted city and fans. With his modest style, it was said that one couldn't tell from the way Johnny Unitas walked off a football field whether he'd thrown a touchdown or an interception. In fact, the photo of him taken moments after he threw the game-winning overtime touchdown in the 1958 NFL Championship—in what is known as the Greatest Game Ever Played—shows Johnny Unitas, head bent, walking toward the Colts bench as if nothing much had happened.

His skills, warmth, charities, and remarkable life have touched people far beyond the gridiron. During his funeral, a small plane pulled the same banner that flew above Memorial Stadium on his last game in Baltimore. It read: "Unitas We Stand."

He played for the love of the game, his city, and its fans. He was Baltimore. Our prayers are with the Unitas family. We all miss you, Johnny U.

Mr. CUMMINGS. Mr. Speaker, I rise today to honor the life of Johnny Unitas—a great football player, a great Baltimorean, and a great human being. Johnny Unitas epitomized all that is right about sports, and he put Baltimore on the map with his dazzling skill and workmanlike attitude.

Johnny Unitas hitchhiked home from his first training camp in 1955, cut from the Pittsburgh Steelers. He spent that year playing semipro ball for \$6 a game, and working at a construction site nearby to make ends meet. The rest, as they say, is history.

The Baltimore Colts signed Unitas the next year. He retired after the 1973 season, setting 22 NFL records, including the most passes attempted and completed, most yards gained passing, most touchdown passes and most seasons leading the league in TD passes.

Unitas completed 2,830 of 5,186 passes for 40,239 yards and 290 touchdowns. He completed at least one touchdown pass in 47 straight games, a record not challenged since it was set from 1956–60.

Johnny Unitas was the Most Valuable Player in 1964 and 1967 and played in 10 Pro Bowls. He led Baltimore to the NFL championship in 1958 and 1959 and the Super Bowl in 1970. On the NFL's 50th anniversary in 1969, Unitas was voted the greatest quarterback of all time. He also was selected at quarterback for the NFL's All-Time team in 2000 by the 36 Pro Football Hall of Fame voters.

To many, including myself, Johnny Unitas was the greatest quarterback to play the game. He left an indelible mark on football, Baltimore, and this nation.

Johnny never strayed far from the game. After his retirement in 1973, he was a fixture in the Baltimore football scene that he made famous, watching the Baltimore Colts move to Indianapolis and the Ravens take their place.

Johnny was famous for saying, "Talk is cheap. Let's go play." I believe this is advice we could all afford to heed.

On September 11, at the age of 69, Johnny Unitas suffered a heart attack and passed away.

I extend my condolences to the family of Johnny Unitas, to his fans, and to all those people he touched. He will be missed.

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

The SPEAKER pro tempore (Mr. SHIMKUS). The question is on the motion offered by the gentleman from Oklahoma (Mr. SULLIVAN) that the House suspend the rules and agree to the resolution, H. Res. 538.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. SULLIVAN. 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.

FEDERAL-UTAH STATE TRUST LANDS CONSOLIDATION ACT

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4968) to provide for the exchange of certain lands in Utah, as amended.

The Clerk read as follows:

H.R. 4968

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 "Federal-Utah State Trust Lands Consolidation Act".

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) The San Rafael Swell in Utah is a 900-square mile, wild and beautiful region west of the Green River. The San Rafael Swell is dominated by the jagged, uplifted San Rafael Reef, which has nearly two dozen major canyons and many side draws and box canyons. The San Rafael Swell towers above the desert like a wilderness castle, ringed by 1,000-foot ramparts of Navajo sandstone. Its highlands have been fractured by uplift and scooped hollow by erosion over countless millennia, leaving a tremendous basin punctuated by mesas, buttes, and canyons and traversed by sediment-laden desert streams.

(2) The San Rafael Swell region was one of the country's last frontiers and possesses important natural, historical, and cultural resources, including exceptional backcountry recreation opportunities, productive habitat for Desert Bighorn Sheep, important historical sites, including sections of the Old Spanish Trail and the Outlaw Trail, significant paleontological resources, and multiple wilderness study areas created pursuant to section 603 of the Federal Lands Policy and Management Act of 1976, or otherwise identified by local government and conservation interests as having significant conservation values. The beautiful rural landscapes, historic and cultural landscapes, and spectacular scenic vistas of the San Rafael Swell region contain significant undeveloped recreational opportunities for people throughout the United States.

(3) The State of Utah owns approximately 102,871 acres of land located in the San Rafael Swell region and administered by the Utah School and Institutional Trust Lands Administration. These lands were granted by the Congress to the State of Utah pursuant to the Utah Enabling Act of 1894 (chapter 138; 23 Stat. 107), to be held in trust for the benefit of the State's public school system and

other public institutions. The lands are largely scattered in checkerboard fashion amidst the Federal lands comprising the remainder of the San Rafael Swell area.

(4) Development of surface and mineral resources on State trust lands within the San Rafael Swell area, or the sale of such lands into private ownership, could be incompatible with management of such lands for non-impairment of their wilderness characteristics pursuant to section 603(c) of the Federal Land Policy and Management Act of 1976, with future congressional designation of the lands as wilderness, or with future designation of such lands as a national monument, national heritage area, or other conservation designation.

(5) The State of Utah also owns 3,533 acres of land within or directly adjacent to the Manti-La Sal National Forest in Grand and Emery Counties, Utah, and 6,411 acres of land within the Red Cliffs Desert Reserve, a conservation reserve established in 1995 by the United States and Washington County, Utah, to implement a multiple-species habitat conservation plan approved by the Fish and Wildlife Service under section 10(a) of the Endangered Species Act of 1973. The Reserve contains the highest density of critical habitat for the Mojave desert tortoise, a threatened species, in the United States. These State trust lands are also administered by the Utah School and Institutional Trust Lands Administration, but the use of such lands by the State is limited because of the conservation designations of surrounding Federal lands.

(6) The United States owns lands and interests in lands elsewhere in Utah that can be transferred to the State of Utah in exchange for the San Rafael Swell inholdings, the Manti-La Sal forest lands, and the Red Cliffs Desert Reserve lands without jeopardizing Federal management objectives or needs.

(7) The large presence of State trust land inholdings in the San Rafael Swell region, the Manti-La Sal National Forest, and the Red Cliffs Desert Reserve makes land and resource management in these areas difficult, costly, and controversial for both the State of Utah and the United States.

(8) It is in the public interest to reach agreement on exchange of such inholdings, on terms fair to both the State of Utah and the United States. Such an agreement, subject to ratification by Congress and consent by the Utah legislature, would save much time and delay in meeting the legitimate expectations of the State school and institutional trusts, in simplifying management of Federal lands, and in avoiding the significant time and expense associated with administrative land exchanges.

(9) The State of Utah and the United States have reached an agreement under which the State would exchange certain State trust lands within the San Rafael Swell region, the Manti-La Sal National Forest, and the Red Cliffs Desert Reserve for various Federal lands outside of those areas but in the same region of Utah.

(10) The parties agreed at the outset of negotiations to avoid identifying Federal assets for conveyance to the State where any of the following was known to exist or likely to be an issue as a result of foreseeable future uses of the lands:

- (A) Wilderness study areas.
- (B) Areas proposed for wilderness designation in pending Federal legislation.
- (C) Significant endangered species habitat.
- (D) Significant archaeological resources.
- (E) Areas of critical environmental concern.
- (F) Other lands known to raise significant environmental concerns of any kind.

(11) Because the State trust lands to be acquired by the Federal Government include

properties within some of the most spectacular wild areas in the western United States, and because a mission of the Utah School and Institutional Trust Lands Administration is to produce economic benefits for Utah's public schools and other beneficiary institutions, the exchange of lands called for in this agreement will resolve longstanding environmental conflicts with respect to existing and proposed wilderness study areas, place important natural lands into public ownership, and further the interests of the State trust lands, the school children of Utah, and these conservation resources.

(12) Under this agreement, the State interests to be conveyed to the United States by the State of Utah, and the Federal interests to be conveyed to the State of Utah by the United States, have been examined by licensed independent real estate consultants and, taken as a whole, have been found to be approximately equal in value.

(b) PURPOSE.—The purpose of this Act is to enact into law and direct prompt implementation of this agreement, and thereby to further the public interest by consolidating State and Federal lands into manageable units while facilitating the protection of lands with significant scientific, cultural, and natural resources.

SEC. 3. RATIFICATION OF THE AGREED EXCHANGE BETWEEN THE STATE OF UTAH AND THE UNITED STATES.

(a) AGREEMENT.—The State of Utah, the Department of the Interior, and the Department of Agriculture have agreed to exchange certain Federal lands in the State of Utah for lands of approximately equal value managed by the Utah School and Institutional Trust Lands Administration in the San Rafael Swell area of Utah, the Manti-La Sal National Forest, and the Red Cliffs Desert Reserve.

(b) RATIFICATION.—All terms, conditions, procedures, covenants, reservations, and other provisions set forth in the document entitled "Agreement for Exchange of Lands 2002 Federal-Utah State Trust Lands Consolidation", dated June 18, 2002 (in this Act referred to as "the Agreement"), are hereby incorporated in this Act, are ratified and confirmed, and set forth the obligations of the United States, the State of Utah, and the Utah School and Institutional Trust Lands Administration, as a matter of Federal law.

SEC. 4. CONVEYANCES.

(a) CONVEYANCES.—All conveyances under sections 2, 3, and 4 of the Agreement shall be completed not later than 70 days after enactment of this Act.

(b) MAPS AND LEGAL DESCRIPTIONS.—

(1) IN GENERAL.—The maps and legal descriptions referred to in the Agreement depict the lands subject to the conveyances under the Agreement.

(2) PUBLIC AVAILABILITY.—The maps and legal descriptions referred to in the Agreement shall be on file and available for public inspection in the offices of the Secretary of the Interior, the Secretary of Agriculture, the Intermountain Regional Office of the Forest Service, and the Utah State Director of the Bureau of Land Management.

(3) CONFLICT.—In case of any conflict between the maps and the legal descriptions in the Agreement, the legal descriptions shall control.

(c) CERTAIN COAL LANDS.—

(1) IDENTIFICATION.—The Secretary of the Interior shall prepare legal descriptions for the approximately 4,000 acres of Federal lands that State of Utah and the Secretary have identified within sections 1 through 17 of township 22 south, range 6 east, and within township 22 south, range 7 east, Salt Lake Base and Meridian, Utah.

(2) RESTRICTION ON CONVEYANCE.—Conveyance of the lands identified in paragraph (1)

shall reserve to the United States the coal estate and the right to develop the coal estate.

(3) FUTURE DISPOSITION.—Reservation of the coal estate pursuant to paragraph (2) shall not restrict future disposition of the coal estate pursuant to applicable law.

(d) SPECIES IDENTIFICATION.—Prior to any conveyances under this Act, the Secretary of the Interior shall identify Federal lands subject to the Agreement which contain wildlife species, or habitat of wildlife species, listed as a threatened species or an endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) or that is a candidate for such a listing.

(e) INDEPENDENT MINERAL ASSESSMENT.—Prior to any conveyances under this Act, the Secretary of the Interior and the State of Utah shall select an independent qualified mineral appraiser, or other qualified expert agreeable to both parties, who shall determine whether the terms of the Agreement related to the UA/UB parcel, identified in section 3(d) of the Agreement, are fair and equitable to both parties. If there is a contrary determination, the Secretary and the State shall adjust the exchange or terms of the Agreement so that the terms are fair and equitable to both parties.

(f) EXCEPTIONS TO CONVEYANCES.—

(1) LEGAL DESCRIPTIONS.—The Secretary of the Interior shall prepare legal descriptions, using the smallest possible aliquot parts, for lands within sections 4, 5, 8, and 9, township 22 south, range 7 east, and within section 12, township 22 south, range 6 east, Salt Lake Base and Meridian, and which are identified on the map entitled "Emery County Lands", dated September 27, 2002.

(2) LANDS NOT AUTHORIZED TO BE CONVEYED.—The lands identified in paragraph (1) shall not be conveyed pursuant to subsection (a). In addition, lands within section 17, township 22 south, range 7 east, and within section 33, township 21 south, range 7 east, Salt Lake Base and Meridian, shall not be conveyed pursuant to subsection (a).

(3) LANDS NOT AUTHORIZED TO BE ACCEPTED.—The Secretary of the Interior shall not accept conveyance of section 36, township 24 south, range 6 east; section 32, township 24 south, range 14 east; and section 2, township 26 south, range 8 east, Salt Lake Base and Meridian, Utah, pursuant to subsection (a).

SEC. 5. PLANT AND WILDLIFE SPECIES.

For the lands identified under section 4(d), and the lands identified in Exhibit E to the Agreement, the Secretary of the Interior and the State of Utah shall enter into an agreement which provides a process for the State to consult or take other appropriate action to avoid, offset, or mitigate adverse effects to any species or habitat identified.

SEC. 6. MINERAL DEVELOPMENT.

All payments received by the United States pursuant to section 13(c) of the Agreement shall be subject to sharing with the State of Utah in the same manner the United States shares bonus bids, rentals, and royalties with the State of Utah under section 35 of the Mineral Leasing Act (30 U.S.C. 191).

SEC. 7. AUTHORIZATION.

There are authorized to be appropriated such sums as are necessary to carry out this Act, including such sums as may be desired to reduce the balance of the interest and principal amounts owed by the United States to the Trust Lands Administration pursuant to sections 4 and 5 of the Agreement.

SEC. 8. COSTS.

The United States and the State of Utah shall each bear its own respective costs incurred in the implementation of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from

Utah (Mr. HANSEN) and the gentleman from West Virginia (Mr. RAHALL) 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. 4968, introduced by the gentleman from Utah (Mr. CANNON), would ratify a land exchange between the State of Utah and the Departments of the Interior and Agriculture. The bill would exchange approximately 108,000 acres of State trust lands for 136,000 acres of Federal land.

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

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

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

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Mr. RAHALL. Mr. Speaker, the gentleman from Utah has adequately explained this bill. We have no problem on my side of the aisle. I support the gentleman's legislation.

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 Utah (Mr. CANNON), the author of the bill.

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

Mr. CANNON. Mr. Speaker, I rise in support of H.R. 4968, the Federal-Utah State Trust Lands Consolidation Act. This land exchange represents the third major effort by Congress, the School and Institutional Trust Lands Administration, the State of Utah and the Department of the Interior to block up the checkerboard ownership of lands dedicated to the benefit of Utah's schoolchildren.

H.R. 4968 will ratify an agreement signed by the Secretary of the Interior, the Secretary of Agriculture and the Governor of Utah that agrees to exchange over 100,000 acres of land within Emery, Uintah, Utah, Washington and Sevier Counties. The Federal Government will gain ownership of spectacular lands located within the San Rafael Swell area, critical species habitat in the Red Cliffs Desert Reserve in Washington County and in—holdings within the Manti-La Sal National Forest. In return, the school children of Utah will receive developable lands that may contain recoverable oil, gas, coal or other resources.

In this exchange, the two parties took a real world, businesslike approach. As someone with a background in business, I am fully aware of the extreme difficulty in negotiating the value of assets. In particular, I am aware of how difficult it is to place a value on something as intangible as the worth of a coherent, manageable piece of land as compared to scattered, checkerboard parcels of land. The two parties in this exchange have done as good a job as can be done.

Furthermore, this exchange has been certified by an outside, third party expert who has fully analyzed these lands and minerals and submitted a report stating that this is an equal-value exchange.

Mr. Speaker, this is a fair exchange that continues our efforts to protect those funds in

Utah that should not be developed and allows the school children of Utah to fully appreciate the assets they own. We have wide spread support for this effort throughout the State, among the Congressional delegation, from the NEA, PTA, the Administration and members of the environmental community. Critics of the exchange have made completely contradictory claims. They have asserted that the federal lands being granted to the state have huge value, but then say that the lands won't generate significant revenue. In reality, the lands that the Utah school trust will acquire have potential to generate reasonable future income, which will provide additional income to each of Utah's public schools, in a state where every penny counts.

This bill has received prominent attention in the national press. Much of that attention has been focused on what Utah stands to gain from the exchange. It is important that we look at the other side of the exchange as well. Under H.R. 4968, the Federal Government will acquire over 100,000 acres of conservation lands in the San Rafael Swell, as well as the balanced of the Red Cliffs Desert Reserve in Washington County, in exchange for less sensitive federal lands that can generate revenue for Utah's schools.

This is the third land exchange in Utah in the last three Congresses. We are improving the process and we will do better next time. It is imperative that these exchanges be transparent and evenhanded. It is important that valuable resources are protected and that both parties be treated equitably. I am convinced this exchange meets those criteria.

I urge my colleagues to support H.R. 4968.

Mr. RAHALL. Mr. Speaker, 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. SHIMKUS). 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. 4968, 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.

COAL ACCOUNTABILITY AND RETIRED EMPLOYEE ACT FOR THE 21ST CENTURY

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3813) to modify requirements relating to allocation of interest that accrues to the Abandoned Mine Reclamation Fund, as amended.

The Clerk read as follows:

H.R. 3813

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 "Coal Accountability and Retired Employee Act for the 21st Century".

SEC. 2. TREATMENT OF ABANDONED MINE RECLAMATION FUND INTEREST.

(a) IN GENERAL.—Notwithstanding any other provision of law, any interest credited

to the fund established by section 401 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1231) shall be transferred to the Combined Fund identified in section 402(h)(2) of such Act (30 U.S.C. 1232(h)(2)), up to such amount as is estimated by the trustees of such Combined Fund to offset the amount of any deficit in net assets in the Combined Fund.

(b) PROHIBITION ON OTHER TRANSFERS.—Except as provided in subsection (a), no principal amounts in or credited to the fund established by section 401 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1231) may be transferred to the Combined Fund identified in section 402(h)(2) of such Act (30 U.S.C. 1232(h)(2)).

(c) LIMITATION.—This section shall cease to have any force and effect after September 30, 2004.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. HANSEN) and the gentleman from West Virginia (Mr. RAHALL) 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.

H.R. 3813 the Coal Accountability and Retired Employee Act for the 21st Century introduced by the gentleman from West Virginia (Mr. RAHALL) transfers any interest credited to the Abandoned Mine Reclamation Fund established under the Surface Mining Control and Reclamation Act of 1977 to the Combined Benefit Fund for 2 years.

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

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

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

Mr. RAHALL. Mr. Speaker, enactment this year of the pending legislation will stave off any potential reduction in health care coverage for 54,000 retired coal miners and their widows, whose average age is 78 years old. These miners bravely served their country through both war and peace, many of them working deep within the bowels of this Earth to produce the coal that powered this Nation through both the industrial and now the technological revolution. We owe them a debt of gratitude and as a society would be ill-served by not keeping the promise to them of lifetime health care.

In this regard I do want to express my sincere appreciation to the gentleman from Utah (Mr. HANSEN), chairman of the Committee on Resources, for his support of this legislation. He has not only been of tremendous help on this, but a great many other pieces of legislation that this committee has produced. I salute him for his leadership.

I also want to thank the gentleman from Ohio (Mr. NEY), who is an original cosponsor of this bill, who does care very deeply about our Nation's coal miners. I salute him for his work as well.

Finally, I want to say to the gentleman from Wyoming (Mrs. CUBIN), I

thank her for working with me on this bill and for helping to make it possible for this legislation to be considered on the floor today.

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

Mr. HANSEN. 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. 3813, 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.

YANKTON SIOUX TRIBE AND SANTEE SIOUX TRIBE EQUITABLE COMPENSATION ACT

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 434) to provide equitable compensation to the Yankton Sioux Tribe of South Dakota and the Santee Sioux Tribe of Nebraska for the loss of value of certain lands, as amended.

The Clerk read as follows:

S. 434

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

TITLE I—YANKTON SIOUX AND SANTEE SIOUX TRIBES EQUITABLE COMPENSATION

SEC. 101. SHORT TITLE.

This title may be cited as the "Yankton Sioux Tribe and Santee Sioux Tribe Equitable Compensation Act".

SEC. 102. FINDINGS.

Congress finds that—

(1) by enacting the Act of December 22, 1944, commonly known as the "Flood Control Act of 1944" (58 Stat. 887, chapter 665; 33 U.S.C. 701-1 et seq.) Congress approved the Pick-Sloan Missouri River Basin program (referred to in this section as the "Pick-Sloan program")—

(A) to promote the general economic development of the United States;

(B) to provide for irrigation above Sioux City, Iowa;

(C) to protect urban and rural areas from devastating floods of the Missouri River; and

(D) for other purposes;

(2) the waters impounded for the Fort Randall and Gavins Point projects of the Pick-Sloan program have inundated the fertile, wooded bottom lands along the Missouri River that constituted the most productive agricultural and pastoral lands of, and the homeland of, the members of the Yankton Sioux Tribe and the Santee Sioux Tribe;

(3) the Fort Randall project (including the Fort Randall Dam and Reservoir) overlies the western boundary of the Yankton Sioux Tribe Indian Reservation;

(4) the Gavins Point project (including the Gavins Point Dam and Reservoir) overlies the eastern boundary of the Santee Sioux Tribe;

(5) although the Fort Randall and Gavins Point projects are major components of the Pick-Sloan program, and contribute to the economy of the United States by generating a substantial amount of hydropower and impounding a substantial quantity of water, the reservations of the Yankton Sioux Tribe