

in scholarship assistance to schools such as Dartmouth, Georgetown, and Notre Dame. Not only are students of the Sante Fe Indian School able to enter into the competitive environment of college admissions, but students are also equipped with a knowledge to better understand the issues facing tribes in the Southwest to one day be able to return to these communities to contribute positively to the infrastructure that is necessary for continued growth.

Mr. Speaker, I urge my colleagues to join me in supporting H.R. 1556 to allow Native American tribes the opportunity to continue to improve the educational programs and environment for these students. Native Americans should be afforded the opportunity to raise funds for their educational pursuits and become actively involved in the economic development and constructive use of their land.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. HASTINGS) that the House suspend the rules and pass the bill, H.R. 1556.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the House by Ms. Wanda Evans, one of his secretaries.

CLARIFICATION OF AUTHORITY GRANTED REGARDING DEFINING EXTERIOR BOUNDARY OF THE UINTAH AND OURAY INDIAN RESERVATION

Mr. HASTINGS of Washington. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4027) to clarify authority granted under the Act entitled "An Act to define the exterior boundary of the Uintah and Ouray Indian Reservation in the State of Utah, and for other purposes".

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4027

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

SECTION 1. CLARIFICATION OF AUTHORITY.

The Act entitled "An Act to define the exterior boundary of the Uintah and Ouray Indian Reservation in the State of Utah, and for other purposes", approved March 11, 1948 (62 Stat. 72), as amended by the Act entitled "An Act to amend the Act extending the exterior boundary of the Uintah and Ouray Indian Reservation in the State of Utah so as to authorize such State to exchange certain mineral lands for other lands mineral in character" approved August 9, 1955, (69 Stat. 544), is further amended by adding at the end the following:

"SEC. 5. In order to further clarify authorizations under this Act, the State of Utah is hereby authorized to relinquish to the United States, for the benefit of the Ute Indian Tribe of the Uintah and Ouray Reservation, State school trust or other State-owned subsurface mineral lands located beneath the

surface estate delineated in Public Law 440 (approved March 11, 1948) and south of the border between Grand County, Utah, and Uintah County, Utah, and select in lieu of such relinquished lands, on an acre-for-acre basis, any subsurface mineral lands of the United States located beneath the surface estate delineated in Public Law 440 (approved March 11, 1948) and north of the border between Grand County, Utah, and Uintah County, Utah, subject to the following conditions:

"(1) RESERVATION BY UNITED STATES.—The Secretary of the Interior shall reserve an overriding interest in that portion of the mineral estate comprised of minerals subject to leasing under the Mineral Leasing Act (30 U.S.C. 171 et seq) in any mineral lands conveyed to the State.

"(2) EXTENT OF OVERRIDING INTEREST.—The overriding interest reserved by the United States under paragraph (1) shall consist of—

"(A) 50 percent of any bonus bid or other payment received by the State as consideration for securing any lease or authorization to develop such mineral resources;

"(B) 50 percent of any rental or other payments received by the State as consideration for the lease or authorization to develop such mineral resources;

"(C) a 6.25 percent overriding royalty on the gross proceeds of oil and gas production under any lease or authorization to develop such oil and gas resources; and

"(D) an overriding royalty on the gross proceeds of production of such minerals other than oil and gas, equal to 50 percent of the royalty rate established by the Secretary of the Interior by regulation as of October 1, 2011.

"(3) RESERVATION BY STATE OF UTAH.—The State of Utah shall reserve, for the benefit of its State school trust, an overriding interest in that portion of the mineral estate comprised of minerals subject to leasing under the Mineral Leasing Act (30 U.S.C. 181 et seq) in any mineral lands relinquished by the State to the United States.

"(4) EXTENT OF OVERRIDING INTEREST.—The overriding interest reserved by the State under paragraph (3) shall consist of—

"(A) 50 percent of any bonus bid or other payment received by the United States as consideration for securing any lease or authorization to develop such mineral resources on the relinquished lands;

"(B) 50 percent of any rental or other payments received by the United States as consideration for the lease or authorization to develop such mineral resources;

"(C) a 6.25 percent overriding royalty on the gross proceeds of oil and gas production under any lease or authorization to develop such oil and gas resources; and

"(D) an overriding royalty on the gross proceeds of production of such minerals other than oil and gas, equal to 50 percent of the royalty rate established by the Secretary of the Interior by regulation as of October 1, 2011.

"(5) NO OBLIGATION TO LEASE.—Neither the United States nor the State shall be obligated to lease or otherwise develop oil and gas resources in which the other party retains an overriding interest under this section.

"(6) COOPERATIVE AGREEMENTS.—The Secretary of the Interior is authorized to enter into cooperative agreements with the State and the Ute Indian Tribe of the Uintah and Ouray Reservation to facilitate the relinquishment and selection of lands to be conveyed under this section, and the administration of the overriding interests reserved hereunder.

"(7) TERMINATION.—The overriding interest reserved by the Secretary of the Interior under paragraph (1), and the overriding inter-

est reserved by the State under paragraph (3), shall automatically terminate 30 years after the date of enactment of this section."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Washington (Mr. HASTINGS) and the gentleman from New Mexico (Mr. LUJÁN) each will control 20 minutes.

The Chair recognizes the gentleman from Washington.

GENERAL LEAVE

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and insert extraneous materials on the bill under consideration.

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

There was no objection.

Mr. HASTINGS of Washington. I yield myself such time as I may consume.

Mr. Speaker, H.R. 4027 is a bipartisan bill that would clarify the boundaries of the Uintah and Ouray Indian Reservation as passed by the Hill Creek Extension of 1948. The bill would authorize Utah's School and Industrial Trust Land Administration to relinquish to the Ute Indian Tribe its subsurface mineral rights in exchange for subsurface rights to an equal number of acres of other land owned by the Federal Government. The exchange would allow the school trust fund and the tribe to explore additional oil and gas development that will help support Utah education and create jobs for the tribe while preserving more culturally sensitive land for the tribe.

I urge adoption of the resolution, and I reserve the balance of my time.

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

Mr. Speaker, H.R. 4027 clarifies existing law regarding the Federal Government's authority to permit land exchanges within the boundaries of the Ute Indian Reservation in northeastern Utah and resolves the tribe's split estate problem caused by Federal error over 50 years ago. This legislation returns the subsurface mineral estate to the Ute Tribe in a portion of its reservation that the tribe considers culturally and environmentally significant and thus preserves the area's pristine wilderness from development. The bill also benefits the State of Utah by opening up Federal minerals for development in an area of the tribe's reservation already being developed by the tribe's energy company.

Legislation that corrects a Federal error and satisfies both tribal and State interests, without cost to the Federal Government, does not come along very often. Mr. MATHESON is to be commended for his dedication in seeing this bill pass out of the House and for crafting a workable solution to a difficult problem.

I urge my colleagues to support H.R. 4027, and I reserve the balance of my time.

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

Mr. LUJÁN. Mr. Speaker, I yield such time as he may consume to the gentleman from Utah (Mr. MATHESON).

Mr. MATHESON. Mr. Speaker, I rise in support of H.R. 4027, a bill to authorize an acre-for-acre exchange of subsurface mineral lands within the Hill Creek Extension between the State of Utah and the United States on behalf of the Ute Tribe.

I really want to thank Chairman HASTINGS and his staff, and also subcommittee Chairman YOUNG and his staff, Ranking Member MARKEY and his staff, and Ranking Member BOREN and his staff for their support in moving this bill through the Natural Resources Committee. And I would also like to thank my colleague from Utah (Mr. BISHOP) who is a cosponsor of the bill.

In the transaction authorized in this bill, the tribe would acquire certain State minerals in Grand County, Utah, and in exchange, the BLM would relinquish certain Federal lands in Uintah County, Utah, to the State.

This bipartisan bill would give the Bureau of Land Management the authority to approve this transaction that was first proposed several years ago. In order to fully protect State and Federal interests, this legislation reserves identical overriding financial interests in each other's exchanged lands should development occur. Often in the past, these land exchanges had challenges with appraisals and making sure everyone is treated fairly. This legislation tries to address that issue looking forward.

This bill is a win/win. It helps the tribe consolidate its management of land that is considered sacred and culturally significant, and at the same time, it allows for domestic energy development on land not considered environmentally sensitive that would provide more school trust fund revenue for Utah and employment for energy workers in the State as well.

This legislation has broad support from local government, including Grand, Duchesne, and Uintah Counties, the State of Utah, and the Ute Tribe as well as partner agencies. The Wilderness Society also testified in support of this legislation.

So I urge my colleagues to join me in passing this bill.

Mr. HASTINGS of Washington. I'm prepared to yield back if the gentleman has no more requests for time.

Mr. LUJÁN. Mr. Speaker, we thank the gentleman from Utah for his hard work, and I yield back the balance of my time.

Mr. HASTINGS of Washington. I urge adoption, and I yield back the balance of my time.

Ms. RICHARDSON. Mr. Speaker, I rise in support of H.R. 4027, which redefines the boundary of the Ute Indian Tribe of the Uintah and Ouray Reservation. I thank my colleague, Congressman MATHESON, for introducing this legislation.

This bill will authorize Utah to relinquish certain subsurface mineral lands for the benefit of the Ute Indian Tribe. Native American tribes deserve the opportunity to benefit from the natural resources available on their land.

The bill concurrently protects the interests of Utah, by requiring the State to reserve an overriding interest in the portion of the mineral estate that is being relinquished. This portion of the mineral lands is to be reserved for the benefit of the school trust.

Mr. Speaker, as a member of the Native American Caucus, I am proud to work with my colleagues in the House to continue to protect the rights and interests of Native Americans around the country. As such, I urge my colleagues to join me in supporting H.R. 4027.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. HASTINGS) that the House suspend the rules and pass the bill, H.R. 4027.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

LAND GRANT PATENT MODIFICATION ACT

Mr. HASTINGS of Washington. Mr. Speaker, I move to suspend the rules and pass the bill (S. 404) to modify a land grant patent issued by the Secretary of the Interior.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 404

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

SECTION 1. FINDINGS.

Congress finds that—

(1) pursuant to section 5505 of division A of the Omnibus Consolidated Appropriations Act, 1997 (Public Law 104-208; 110 Stat. 3009-516), the Secretary of the Interior, acting through the Bureau of Land Management, issued to the Great Lakes Shipwreck Historical Society located in Chippewa County of the State of Michigan United States Patent Number 61-98-0040 on September 23, 1998;

(2) United States Patent Number 61-98-0040 was recorded in the Office of the Register of Deeds of Chippewa County of the State of Michigan, on January 22, 1999, at Liber 757, on pages 115 through 118;

(3) in order to correct an error in United States Patent Number 61-98-0040, the Secretary issued a corrected patent, United States Patent Number 61-2000-0007, on March 10, 2000;

(4) after issuance of the corrected United States Patent Number 61-2000-0007, the original United States Patent Number 61-98-0040 was cancelled on the records of the Bureau of Land Management; and

(5) corrected United States Patent Number 61-2000-0007 should be modified in accordance with this Act—

(A) to effectuate—

(i) the Human Use/Natural Resource Plan for Whitefish Point, dated December 2002; and

(ii) the settlement agreement dated July 16, 2001, filed in Docket Number 2:00-CV-206 in the United States District Court for the Western District of Michigan; and

(B) to ensure a clear chain of title, recorded in the Office of the Register of Deeds

of Chippewa County of the State of Michigan.

SEC. 2. MODIFICATION OF LAND GRANT PATENT ISSUED BY SECRETARY OF THE INTERIOR.

(a) IN GENERAL.—The Secretary of the Interior shall modify the matter under the heading “Subject Also to the Following Conditions” of paragraph 6 of United States Patent Number 61-2000-0007 by striking “Whitefish Point Comprehensive Plan of October 1992 or for a gift shop” and inserting “Human Use/Natural Resource Plan for Whitefish Point, dated December 2002”.

(b) EFFECT.—Each other term of the conveyance relating to the property that is the subject of United States Patent Number 61-2000-0007, including each obligation to maintain the property in accordance with the National Historic Preservation Act (16 U.S.C. 470 et seq.) and any other appropriate law (including regulations), and the obligation to use the property in a manner that does not impair or interfere with the conservation values of the property, shall remain in effect.

SEC. 3. EFFECTIVE DATE.

(a) IN GENERAL.—The modification of United States Patent Number 61-2000-0007 in accordance with section 2 shall become effective on the date of the recording of the modification in the Office of the Register of Deeds of Chippewa County of the State of Michigan.

(b) ENDORSEMENT.—The Office of the Register of Deeds of Chippewa County of the State of Michigan is requested to endorse on the recorded copy of United States Patent Number 61-2000-0007 the fact that the Patent Number has been modified in accordance with this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Washington (Mr. HASTINGS) and the gentleman from New Mexico (Mr. LUJÁN) each will control 20 minutes.

The Chair recognizes the gentleman from Washington.

GENERAL LEAVE

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, S. 404 would simply modify a land patent that was issued by the Department of the Interior to the Great Lakes Shipwreck Historical Society in 1998 to reflect an agreement between the historical society, the Michigan Audubon Society, and the U.S. Fish & Wildlife Service.

The current land patent references an outdated 1992 Comprehensive Plan for Whitefish Point, a 43-acre spit of land surrounded by Lake Superior. The Michigan Audubon Society sued when this plan for development was proposed, and following a court-ordered settlement of the lawsuit, a new plan was negotiated in 2002. This bill would modify the land patent to appropriately reference the 2002 plan and finally allow for the development to go forward.