

□ 1610

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.

Congressman DAN BENISHEK, our colleague from Michigan, is the author of the companion House bill, H.R. 3411, and he should be commended for his commonsense approach to help manage this important tourism area in the Upper Peninsula of Michigan.

And with that, I reserve the balance of my time.

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

Mr. Speaker, S. 404 requires the Secretary of the Interior to modify a land grant patent in Chippewa County, Michigan. The patent, issued to the Michigan Audubon Society and the Great Lakes Shipwreck Historical Society, will be amended to allow for use and modification of the property to allow for new use plans.

We have no objection to this legislation, and I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I am very pleased to yield 3 minutes to the author of the companion bill in the House of this legislation, the gentleman from Michigan (Mr. BENISHEK).

Mr. BENISHEK. Mr. Speaker, this evening the House will take up Senate bill S. 404, a bill authored by my colleague in the Senate, Senator CARL LEVIN. As you heard, I authored a companion bill in the House last November.

This bill will end a bureaucratic roadblock that has prevented the Great Lakes Shipwreck Museum from making improvements to its facility located in Chippewa County, Michigan, along the southern shore of Lake Superior. Only an act of Congress is able to correct an error in the land patent that was enacted in 1992.

From the bell of the Edmund Fitzgerald to the U.S. Coast Guard's Whitefish Point Lighthouse, the shipwreck museum's exhibits tell the story of brave men and women who have navigated the Great Lakes for hundreds of years.

This facility displays important parts of Northern Michigan's history. Each year, some 60,000 individuals visit the museum and explore firsthand the rich maritime traditions of Michigan's First District. Preserving Michigan's maritime history is a resource that both Senator LEVIN and I agree warrants enthusiastic bipartisan support for the benefit of future generations of visitors.

I want to thank Chairman HASTINGS for bringing this bill to the floor today, and I encourage all of my colleagues to support this measure and bring it one step closer to the President's desk.

Mr. LUJAN. Mr. Speaker, we have no other speakers, and I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I urge adoption of S. 404, and I yield back the balance of my time.

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, S. 404.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. HASTINGS of Washington. 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, further proceedings on this question will be postponed.

ALTA, UTAH, CONVEYANCE ACT

Mr. HASTINGS of Washington. Mr. Speaker, I move to suspend the rules and pass the bill (S. 684) to provide for the conveyance of certain parcels of land in the town of Alta, Utah.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 684

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

SECTION 1. CONVEYANCE.

(a) DEFINITIONS.—In this Act:

(1) NATIONAL FOREST SYSTEM LAND.—The term "National Forest System land" means the parcels of National Forest System land that—

(A) are located—

(i) in sec. 5, T. 3 S., R. 3 E., Salt Lake meridian;

(ii) in, and adjacent to, parcels of land subject to special use permit SLC102708, the authority of which expires on December 30, 2026;

(iii) in the Wasatch-Cache National Forest in Salt Lake County, Utah; and

(iv) in the incorporated boundary of the town of Alta, Utah; and

(B) consist of approximately 2 acres (including appurtenances).

(2) SECRETARY.—The term "Secretary" means the Secretary of Agriculture.

(3) TOWN.—The term "Town" means the town of Alta, Utah.

(b) CONVEYANCE.—On the request of the Town submitted to the Secretary by the date that is not later than 1 year after the date of enactment of this Act, the Secretary shall convey to the Town, without consideration, all right, title, and interest of the United States in and to the National Forest System land.

(c) SURVEY; COSTS.—

(1) IN GENERAL.—In accordance with paragraphs (2) and (3), the exact acreage and legal description of the National Forest System land shall be determined by a survey approved by the Secretary.

(2) MAXIMUM AREA.—The acreage of the National Forest System land determined under paragraph (1) may not exceed 2 acres.

(3) COSTS.—The Town shall pay the reasonable survey and other administrative costs associated with the conveyance.

(d) USE OF NATIONAL FOREST SYSTEM LAND.—As a condition of the conveyance under subsection (b), the Town shall use the National Forest System land only for public purposes.

(e) REVERSIONARY INTEREST.—In the deed to the Town, the Secretary shall provide that the National Forest System land shall revert to the Secretary, at the election of the Secretary based on the best interests of the United States, if the National Forest System land is used for a purpose other than a public purpose.

(f) ADDITIONAL TERMS AND CONDITIONS.—With respect to the conveyance under sub-

section (b), the Secretary may require such additional terms and conditions as the Secretary determines to be appropriate to protect the interests of the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Washington (Mr. HASTINGS) and the gentleman from New Mexico (Mr. LUJAN) 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. 684, introduced by Senator MIKE LEE of Utah, would address a pressing issue in the town of Alta, Utah.

Alta is a small ski town that currently operates most of its municipal infrastructure on land managed by the Wasatch-Cache National Forest under a multitude of special use permits. This legislation would convey this land—a maximum of 2 acres—to the town to provide for certainty, simplicity, and flexibility in maintaining its facilities.

I urge my colleagues to support this commonsense bill, and I reserve the balance of my time.

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

Mr. Speaker, S. 684, sponsored by Senator MIKE LEE of Utah, provides for the conveyance of no more than 2 acres of land from the Wasatch-Cache National Forest to the town of Alta, Utah. The town of Alta has built two facilities for public use on this government property under a special use permit. The town will be paying for all survey costs.

We have no objections to this legislation, and I yield back the balance of my time.

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

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, S. 684.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. HASTINGS of Washington. 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, further proceedings on this question will be postponed.