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Senate

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VIRGIN RIVER DINOSAUR FOOTPRINT PRESERVE ACT

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 591, H.R. 2385.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 2385) to convey certain property to the city of St. George, Utah, in order to provide for the protection and preservation of certain rare paleontological resources on that property, and for other purposes.

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Energy and Natural Resources with amendments, as follows:

[Strike the part shown in black brackets and insert the part shown in italic.]

H.R. 2385

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 ''Virgin River Dinosaur Footprint Preserve Act''.

SEC. 2. VIRGIN RIVER DINOSAUR FOOTPRINT PRESERVE.

[(a) AUTHORIZATION FOR GRANT TO PURCHASE FOOTPRINT PRESERVE.—As soon as is practicable after the date of the enactment of this Act, if the City agrees to the conditions set forth in subsection (b), the Secretary of the Interior may award to the City a grant equal to the lesser of $500,000 or the fair market value of up to 10 acres of land (and all related facilities and other appurtenances thereon) generally depicted on the map entitled ''Proposed Virgin River Dinosaur Footprint Preserve'', numbered 09/06/2001–A, for purchase of that property.]

(a) AUTHORIZATION FOR GRANT TO PURCHASE PRESERVE.—Of the funds appropriated in the section entitled ''Land Acquisition'' of the Fiscal Year 2002 Interior and Related Agencies Appropriations Act, Public Law 107–63, the Secretary of the Interior shall grant $500,000 to the City for—

(1) the purchase of up to 10 acres of land within the area generally depicted as the ''Preserve Acquisition Area'' on the map entitled ''Map B'' and dated May 9, 2002; and

(2) the preservation of such land and paleontological resources.

(b) CONDITIONS OF GRANT.—The grant under subsection (a) shall be made only after the City agrees to the following conditions:

(1) USE OF LAND.—The City shall use the Virgin River Dinosaur Footprint Preserve in a manner that accomplishes the following:

(A) Preserves and protects the paleontological resources located within the exterior boundaries of the Virgin River Dinosaur Footprint Preserve.

(B) Provides opportunities for scientific research in a manner compatible with subparagraph (A).

(C) Provides the public with opportunities for educational activities in a manner compatible with subparagraph (A).

(2) REVERTER.—If at any time after the City acquires the Virgin River Dinosaur Footprint Preserve, the Secretary determines that the City is not substantially in compliance with the conditions described in paragraph (1), all right, title, and interest in and to the Virgin River Dinosaur Footprint Preserve shall immediately revert to the United States, with no further consideration on the part of the United States, and such property shall then be under the administrative jurisdiction of the Secretary of the Interior.

(3) CONDITIONS TO BE CONTAINED IN DEED.—If the City attempts to transfer title to the Virgin River Dinosaur Footprint Preserve (in whole or in part), the conditions set forth in this subsection shall transfer with such title and shall be enforceable against any subsequent owner of the Virgin River Dinosaur Footprint Preserve (in whole or in part).

(c) COOPERATIVE AGREEMENT AND ASSISTANCE.—

[(1) COOPERATIVE AGREEMENT.—The Secretary shall enter into a cooperative agreement with the City for the management of the Virgin River Dinosaur Footprint Preserve by the City.

(2)] *(1)* ASSISTANCE.—The Secretary may provide to the City—

(A) financial assistance, if the Secretary determines that such assistance is necessary for protection of the paleontological resources located within the exterior boundaries of the Virgin River Dinosaur Footprint Preserve; and

(B) technical assistance to assist the City in complying with subparagraphs (A) through (C) of subsection (b)(1).

[(3)] *(2)* ADDITIONAL GRANTS.—

(A) IN GENERAL.—In addition to funds made available under subsection (a) and paragraph (2) of this subsection, the Secretary may provide grants to the City to carry out its duties under the cooperative agreement entered into under paragraph (1).

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(B) LIMITATION ON AMOUNT; REQUIRED NON-FEDERAL MATCH.—Grants under subparagraph (A) shall not exceed $500,000 and shall be provided only to the extent that the City matches the amount of such grants with non-Federal contributions (including in-kind contributions).

(d) MAP ON FILE.—The map shall be on file and available for public inspection in the appropriate offices of the Department of the Interior.

(e) DEFINITIONS.—For the purposes of this section, the following definitions apply:

(1) CITY.—The term ''City'' means the city of St. George, Utah.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(3) VIRGIN RIVER DINOSAUR FOOTPRINT PRESERVE.—The term ''Virgin River Dinosaur Footprint Preserve'' means the property (and all facilities and other appurtenances thereon) described in subsection (a).

Mr. HATCH. Mr. President, I rise today to say a few words about S. 1497, the Virgin River Dinosaur Footprint Preserve Act and its companion measure in the House, H.R. 2385. This bill would convey certain property to the city of St. George, Utah, in order to provide for the protection and preservation of certain rare paleontological resources on that property.

This legislation would provide vital protections to one of our nation's most recent, and most intact pre-Jurassic paleontological discoveries. In February 2000, Sheldon Johnson of St. George, UT, began development preparations on his land when he uncovered one of the world's most significant collections of dinosaur tracks, tail draggings, and skin imprints in the surrounding rock. Without any advertising, the site has attracted many tens of thousands of visitors and the interest of some of the world's top paleontologists.

This was a fantastic discovery that has added important new insights into the Jurassic period. However, now that these prints have been uncovered, the fragile sandstone in which the impressions have been made is in jeopardy due to the heat and wind typical of the southern Utah climate. We must act quickly if these footprints from our past are to be preserved. This bill would authorize the Secretary of the Interior to purchase the land where the footprints and tail draggings are found and convey the property to the city of St. George. The city will work together with the property owners and Washington County to preserve and protect the area and the resources found there.

We owe a debt of gratitude to Sheldon and LaVerna Johnson who made this discovery on their land and have dedicated thousands of hours of their personal time and much of their own money to trying to preserve this site. They have done all they can to protect it, while at the same time opening up their land for visitors and scientists to view the new findings free of costs. They have given so much to this cause, but they cannot keep it up indefinitely. They desperately hope that the Government will step up and help carry the burden of managing this precious resource, and with passage of this legislation tonight we will provide them with the relief they deserve.

I thank Senators BINGAMAN and MURKOWSKI, the chairman and ranking member of the Senate Committee on Energy and Natural Resources, for their assistance in seeing this measure passed by Congress and sent to the President. I also thank Representative JAMES HANSEN, my good friend and the sponsor of the companion measure in the House for all he has done to make this legislation possible.

Mr. REID. Mr. President, I ask unanimous consent that the committee-reported amendments be withdrawn; that the bill be read the third time and passed; and that the motion to reconsider be laid upon the table, with no intervening action or debate.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The committee amendments were withdrawn.

The bill (H.R. 2385) was read the third time and passed.

Mr. REID. Mr. President, before we get to the next matter, let me express my appreciation to the Senator from Utah, Mr. BENNETT. He has been here all night. But for him, we would not have made the progress we have. All Senators should be very grateful for his weighing in on these delicate matters. I appreciate what the Senator from Utah has done to help us get to this point.

Mr. BENNETT. Mr. President, I thank the assistant majority leader. I wish to make it clear that without his leadership and cooperation, we would not be doing what we are doing. It takes two hands to clap. We were waving our hands uselessly in the air until the Senator from Nevada stepped in. I am very grateful to him.

MESSAGES FROM THE HOUSE

ENROLLED BILLS SIGNED

Under the authority of the order of the Senate of January 3, 2001, the following enrolled bills, previously signed by the Speaker of the House, were signed on November 21, 2002, by the President pro tempore (Mr. BYRD):

S. 1010. An act to extend the deadline for commencement of construction of a hydroelectric project in the State of North Carolina.

S. 1226. An act to require the display of the POW/MIA flag at the World War II Memorial, the Korean War Veterans Memorial, and the Vietnam Veterans Memorial.

S. 1907. An act to direct the Secretary of the Interior to convey certain land to the city of Haines, Oregon.

S. 1946. An act to amendment the National Trails System Act to designate the Old Spanish Trail as a National Historic Trail.

S. 2339. An act to amend the National Housing Act to simplify the downpayment requirements for FHA mortgage insurance for single family homebuyers.

H.R. 727. An act to amend the Consumer Product Safety Act to provide that low-speed electric bicycles are consumer products subject to such Act.

H.R. 2595. An act to direct the Secretary of the Army to convey a parcel of land to Chatham County, Georgia.

S. 3044. An act to authorize the Court Services and Offender Supervision Agency of the District of Columbia to provide for the interstate of offenders on parole, probation, and supervised release.

S. 2712. An act to authorize economic and democratic development assistance for Afghanistan and to authorize military assistance for Afghanistan and certain other foreign countries.

S. 3156. An act to provide for a grant for the construction of a new community center in St. Paul, Minnesota, in honor of the late Senator Paul Wellstone and his beloved wife, Sheila.

H.R. 3908. An act to reauthorize the North American Wetlands Conservation Act, and for other purposes.

H.R. 5504. An act to provide for the improvement of the safety of child restraints in passenger motor vehicles, and for other purposes.

Under the authority of the order of the Senate of January 3, 2001, the Secretary of the Senate, on November 22, 2002, during the recess of the Senate, received a message from the House of Representative announcing that the House agrees to the amendment of the Senate to the bill (H.R. 5005) to establish the Department of Homeland Security, and for other purposes.

The message also announced that the House has agreed to the following concurrent resolution, without amendment.

S. Con, Res. 160. Concurrent resolution providing for the sine die adjournment of the One Hundred Seventh Congress, Second Session.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Under the authority of the order of the Senate of January 3, 2001, the Secretary of the Senate, on November 22, 2002, during the recess of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bills and joint resolution:

S. 1240. An act to provide for the acquisition of land and construction of an interagency administrative and visitor facility at the entrance to American Fork Canyon, Utah, and for other purposes.

S. 2237. An act to amend title 38, United States Code, to improve authorities of the Department of Veterans Affairs relating to veterans' compensation, dependency and indemnity compensation, and pension benefits, education benefits, housing benefits, memorial affairs benefits, life insurance benefits, and certain other benefits for veterans, to improve the administration of benefits for veterans, to make improvements in procedures relating to judicial review of veterans' claims for benefits, and for other purposes.

H.R. 3210. An act to ensure the continued financial capacity of insurers to provide coverage for risks from terrorism.

H.R. 3833. An act to facilitate the creation of a new, second-level Internet domain within the United States country code domain that will be a haven for material that promotes positive experiences for children and families using the Internet, provides a safe

online environment for children, and helps to prevent children from being exposed to harmful material on the Internet, and for other purposes.

H.R. 5005. An act to establish the Department of Homeland Security, and for other purposes.

H.R. 5469. An act to amend title 17, United States Code, with respect to the statutory license for webcasting and for other purposes.

H.J. Res. 117. A joint resolution approving the location of the commemorative work in the District of Columbia honoring former President John Adams.

Under the authority of the order of the Senate of January 3, 2001, the enrolled bills and joint resolution were signed subsequently by the President pro tempore (Mr. BYRD).

ENROLLED BILLS SIGNED

Under the authority of the order of the Senate of January 3, 2001, the Secretary of the Senate, on December 3, 2002, during the recess of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bills:

H.R. 38. An act to provide for additional lands to be included within the boundaries of the Homestead National Monument of America in the State of Nebraska, and for other purposes.

H.R. 308. An act to establish the Guam War Claims Review Commission.

H.R. 451. An act to make certain adjustments to the boundaries of the Mount Nebo Wilderness Area, and for other purposes.

H.R. 706. An act to direct the Secretary of the Interior to convey certain properties in the vicinity of the Elephant Butte Reservoir and the Caballo Reservoir, New Mexico.

H.R. 1712. An act to authorize the Secretary of the Interior to make adjustments to the boundary of the National Park of American Samoa to include certain portions of the islands of Ofu and Olosega within the park, and for other purposes.

H.R. 1776. An act to authorize the Secretary of the Interior to study the suitability and feasibility of establishing the Buffalo Bayou National Heritage Area in west Houston, Texas.

H.R. 1814. An act to amend the National Trails System Act to designate the Metacomet-Monadnock-Mattabesett Trail extending through western New Hampshire, western Massachusetts, and central Connecticut for study for potential addition to the National Trails System.

H.R. 1870. An act to provide for the sale of certain real property within the Newlands Project in Nevada, to the city of Fallon, Nevada.

H.R. 1906. An act to amend the Act that established the Pu'uhonua O Honaunau National Historical Park to expand the boundaries of that park.

H.R. 1925. An act to direct the Secretary of the Interior to study the suitability and feasibility of designating the Waco Mammoth Site Area in Waco, Texas, as a unit of the National Park System, and for other purposes.

H.R. 2099. An act to amend the Omnibus Parks and Public Lands Management Act of 1996 to provide adequate funding authorization for the Vancouver national Historic Reserve.

H.R. 2109. An act to authorize the Secretary of the Interior to conduct a special resource study of Virginia Key Beach Park in Biscayne Bay, Florida, for possible inclusion in the National Park System.

H.R. 2115. An act to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the design, planning, and construction of a project to reclaim and reuse wastewater within the outside of the service area of the Lakehaven Utility District, Washington.

H.R. 2187. An act to amend title 10, United States Code, to make receipts collected from mineral leasing activities on certain naval oil shale reserves available to cover environmental restoration, waste management, and environmental compliance costs incurred by the United States with respect to the reserves.

H.R. 2385. An act to convey certain property to the city of St. George, Utah, in order to provide for the protection and preservation of certain rate paleontological resources on that property, and for other purposes.

H.R. 2628. An act to direct the Secretary of the Interior to conduct a study of the suitability and feasibility of establishing the Muscle Shoals National Heritage Area in Alabama, and for other purposes.

H.R. 2818. An act to authorize the Secretary of the Interior to convey certain public land within the Sand Mountain Wilderness Study Area in the state of Idaho to resolve an occupancy encroachment dating back to 1971.

H.R. 2828. An act to authorize payments to certain Klamath Project water distribution entities for amounts assessed by the entities for operation and maintenance of the Project's transferred works for 2001, to authorize refunds to such entities of amounts collected by the Bureau of Reclamation for reserved works for 2001, and for other purposes.

H.R. 2937. An act to provide for the conveyance of certain public land in Clark County, Nevada, for use as a shooting range.

H.R. 2990. An act to amend the Lower Rio Grande Valley Water Resources Conservation and Improvement Act of 2000 to authorize additional projects under that Act, and for other purposes.

H.R. 3048. An act to resolve the claims of Cook Inlet Region, Inc., to lands adjacent to the Russian River in the State of Alaska.

H.R. 3180. An act to consent to certain amendments to the New Hampshire-Vermont Interstate School Compact.

H.R. 3401. An act to provide for the conveyance of Forest Service facilities and lands comprising the Five Mile Regional Learning Center in the State of California to the Clovis Unified School District, to authorize a new special use permit regarding the continued use of unconveyed lands comprising the Center, and for other purposes.

H.R. 3449. An act to revise the boundaries of the George Washington Birthplace National Monument, and for other purposes.

H.R. 3747. An act to direct the Secretary of the Interior to conduct a study of the site commonly known as Eagledate Ferry Dock at Taylor Avenue in the State of Washington for potential inclusion in the National Park System.

H.R. 3858. An act to modify the boundaries of the New River Gorge National River, West Virginia.

H.R. 3909. An act to designate certain Federal lands in the State of Utah as the Gunn McKay Nature Preserve, and for other purposes.

H.R. 3954. An act to designate certain waterways in the Caribbean National Forest in the Commonwealth of Puerto Rico as components of the National Wild and Scenic Rivers System, and for other purposes.

H.R. 4129. An act to amend the Central Utah Project completion Act to clarify the responsibilities of the Secretary of the Interior with respect to the Central Utah Project, to redirect unexpended budget authority for the Central Utah Project for wastewater treatment and reuse and other purposes, to provide for prepayment of repayment contracts for municipal and industrial water delivery facilities, and to eliminate a deadline for such prepayment.

H.R. 4638. An act to reauthorize the Mni Wiconi Rural Water Supply Project.

H.R. 4682. An act to revise the boundary of the Allegheny Portage Railroad National Historic Site, and for other purposes.

H.R. 4692. An act to amend the Act entitled ''An Act to authorize the Establishment of the Andersonville National Historic site in the State of Georgia, and for other purposes'', to provide for the addition of certain donated lands to the Andersonville National Historic Site.

H.R. 4750. An act to designate certain lands in the State of California as components of the National Wilderness Preservation System, and for other purposes.

H.R. 4823. An act to repeal the sunset of the Economic Growth and Tax Relief Reconciliation Act of 2001 with respect to the exclusion from Federal income tax for restitution received by victims of the Nazi Regime.

H.R. 4874. An act to direct the Secretary of the Interior to disclaim any Federal interest in lands adjacent to Spirit Lake and Twin Lakes in the State of Idaho resulting from possible omission of lands from an 1880 survey.

H.R. 4944. An act to designate the Cedar Creek and Belle Grove National Historical Park as a unit of the National Park System, and for other purposes.

H.R. 4953. An act to direct the Secretary of the Interior to grant to Deschutes and Crook Counties in the State of Oregon a right-of-way to West Butte Road.

H.R. 4099. An act to extend the periods of authorization for the Secretary of the Interior to implement capital construction projects associated with the endangered fish recovery implementation programs for the Upper Colorado and San Juan River Basins.

H.R. 5125. An act to amend the American Battlefield Protection Act of 1996 to authorize the Secretary of the Interior to establish a battlefield acquisition grant program.

H.R. 5436. An act to extend the deadline for commencement of construction of a hydroelectric project in the State of Oregon.

H.R. 5472. An act to extend for 6 months the period for which chapter of title 11 of the United States Code is reenacted.

H.R. 5738. An act to amend the Public Health Service Act with respect to special diabetes programs for Type I diabetes and Indians.

H.R. 2017. An act to amend the Indian Financing Act of 1974 to improve the effectiveness of the Indian loan guarantee and insurance program.

Under the authority of the order of the Senate of January 3, 2001, the enrolled bills were signed subsequently by the President pro tempore (Mr. BYRD).

ENROLLED BILLS SIGNED

Under the authority of the order of the Senate of January 3, 2001, the Secretary of the Senate, on December 4, 2002, during the recess of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bills.

H.R. 2458. An act to enhance the management and promotion of electronic Government services and processes by establishing

a Federal Chief Information Officer within the Office of Management and Budget, and by establishing a broad framework of measures that require using Internet-based information technology to enhance citizen access to Government information and services, and for other purposes.

H.R. 3609. An act to amend title 49, United States Code, to enhance the security and safety of pipelines.

H.R. 4664. An act to authorize appropriations for fiscal years 2003, 2004, 2005, 2006, and 2007 for the National Science Foundation, and for other purposes.

H.R. 4883. An act to reauthorize the Hydrographic Services Improvement Act of 1998, and for other purposes.

Under the authority of the order of the Senate January 3, 2001, the enrolled bills were signed subsequently by the President pro tempore (Mr. BYRD).

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on November 22, 2002, she had presented to the President of the United States the following enrolled bills and joint resolution:

S. 1010. An act to extent the deadline for commencement of construction of a hydroelectric project in the State of North Carolina.

S. 1226. An act to require the display of the POW/MIA flag at the World War II Memorial, the Korean War Veterans Memorial, and the Vietnam Veterans Memorial.

S. 1907. An act to direct the Secretary of the Interior to convey certain land to the city of Haines, Oregon.

S. 1946. An act to amend the National Trails System Act to designate the Old Spanish Trail as a National Historic Trail.

S. 2239. An act to amend the National Housing Act to simplify the downpayment requirements for FHA mortgage insurance for single family homebuyers.

S. 2712. An act to authorize economic and democratic development assistance for Afghanistan and to authorize military assistance for Afghanistan and certain other foreign countries.

S. 3044. An act to authorize the Court Services and Offender Supervision Agency for the District of Columbia to provide for the interstate supervision of offenders on parole, probation, and supervised release.

S. 3156. An act to provide a grant for the construction of a new community center in St. Paul, Minnesota, in honor of the late Senator Paul Wellstone and his beloved wife, Sheila.

S.J. Res. 53. A joint resolution relative to the convening of the first session of the One Hundred Eighth Congress.

The Secretary of the Senate reported that on November 25, 2002, she had presented to the President of the United States the following enrolled bills:

S. 1240. An act to provide for the acquisition of land and construction of an interagency administrative and visitor facility at the entrance to American Fork Canyon, Utah, and for other purposes.

S. 2237. An act to amend title 38, United States Code, to improve authorities of the Department of Veterans Affairs relating to veterans' compensation, dependency and indemnity compensation, and pension benefits, education benefits, housing benefits, memorial affairs benefits, life insurance benefits, and certain other benefits for veterans, to improve the administration of benefits for veterans, to make improvements in procedures relating to judicial review of veterans' claims for benefits, and for other purposes.

The Secretary of the Senate reported that on December 3, 2002, she had presented to the President of the United States the following enrolled bills:

S. 2017. An act to amend the Indian Financing Act of 1974 to improve the effectiveness of the Indian loan guarantee and insurance program.