

land and 65,853 acres of mineral rights, includes school trust areas that are similar in nature to the surrounding blocks of federal lands. By transferring these areas to the federal government, the land will fall under federal protection and management.

Consolidation of these lands will be beneficial because land ownership will be harmonized, precious natural resources will be preserved and protected, and the American public will gain access to previously isolated areas.

A number of priceless natural landmarks will come under the protection of the federal government as a result of this bill. These include: Eye of the Whale Arch, located in Arches National Park; ancient Native American ruins and the Jacob Hamblin Arch of Glen Canyon National Recreation Area; several hundred-foot red rock cliffs located within the Grand Staircase Escalante Monument; and the high mountain alpine area in the Wasatch-Cache National Forest known as Franklin Basin. Other natural wonders safeguarded through the exchange include: ancient Native American rock art panels in Dinosaur National Monument and unique geologic formations of the Waterpocket Fold within Capitol Reef National Park.

Mr. President, H.R. 3830 addresses many land management problems which have plagued Utah for decades. Specifically, this measure helps solve a problem suffered by all states, such as Utah, having large tracts of federally owned or controlled land—that is, the starvation and lack of funding for our school systems which traditionally depend on property taxes for funding.

The trust land system, developed by Congress in the 19th century during the period of westward expansion, was an attempt to offset the losses from the Federal Government's desire to protect certain lands. We are pleased that, after 2 years, the Clinton administration has delivered on this commitment.

I especially want to commend Utah Governor Mike Leavitt for undertaking the task of painstaking identification of lands for exchange and for conducting these negotiations with the Interior Department. His determination and dedication to initiating this process cannot be understated.

I also want to recognize the efforts of Utah's educators, parents, and school board members, who kept this issue on the front burner. Their dedication to resolving this serious funding helped drive these negotiations and ensure that nothing got bogged down. In short, land is land; but we needed to keep our eye on the ball, and that is our children.

Again, I want to thank my friend and colleague, Senator BENNETT, for his efforts on this bill. I know he shares my feeling of joy that this bill is finally coming to fruition. It means a great deal to improving education in our State, and I appreciate my colleagues' support.

I yield to my colleague.

The PRESIDING OFFICER. The junior Senator from Utah.

Mr. BENNETT. Mr. President, thank you.

This is a delightful day. As I think about the issue of swapping land, school trust lands in Utah for other Federal lands, I realize that this is an issue that my father worked on in this Chamber over 40 years ago. Governor Matheson, to keep it bipartisan, the Democratic Governor of Utah, tried an initiative on this same issue while he was the Governor some 20 years ago. To see it finally come to fruition now brings me a great sense of satisfaction.

I thank my senior colleague for his support and leadership on this issue, I thank the members of the Energy Committee for their work, and I particularly thank my friend from Arkansas, the senior Senator, Mr. BUMPERS, for his support as we have gone through this. He and I became acquainted when I first came to the Senate and went on that committee. We worked on a number of issues together, and I am delighted that this is one that comes together in a bipartisan fashion.

So this is a time of rejoicing, nostalgia, and great pleasure on my part.

Mr. BUMPERS addressed the Chair.

Mr. LOTT. Mr. President, I believe I still have the time. If the Senator from Arkansas would like a couple of minutes, I would be glad to yield to him for a comment.

Mr. BUMPERS. Mr. President, there are few Senators in the U.S. Senate for whom I have ever held a higher esteem than my good friend BOB BENNETT. Therefore, several months ago, when I put a hold on this Utah land exchange, which was divinely desired by the Governor and the Interior Department, which is a rare instance—would that all land exchanges had this kind of support—I went to Senator BENNETT and I told him privately—and he will agree to this—I told him privately, “BOB, if push comes to shove”—I am not going to go into the details of why I put a hold on it. We all do these things around here occasionally. I never liked it, but sometimes we have to do things to protect ourselves.

I told Senator BENNETT privately, “At the right time, I will take my hold off this bill.” I said, “I want you to know I would never allow something this popular and well received to go down and”—

The PRESIDING OFFICER. Will the Senator suspend?

The Chamber will come to order. The Senate will come to order.

The Senator from Arkansas.

Mr. BUMPERS. I must say, his determination—his fierce determination—to get this bill passed was reflected in the fact that he asked me every day for 6 months when I was going to take my hold off. This morning, I was very happy to tell him that my reason for putting the hold on in the first place had been resolved. One of the happiest days of my life was the day I could

take that hold off to accommodate the Senator and Senator HATCH. I know he has been actively involved in this also.

I just wanted to say that, Mr. President. I thank the leader very much for yielding the time.

Mr. LOTT. Has the clerk reported the title?

The PRESIDING OFFICER. The clerk has reported.

Mr. LOTT. Mr. President, I ask unanimous consent that the bill be read a third time and passed and that the motion to reconsider be laid upon the table without intervening action.

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

The bill (H.R. 3830) was considered read the third time and passed.

#### THE CALENDAR

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of the following bills, en bloc: Calendar No. 368, H.R. 1021; Calendar No. 447, S. 1752; Calendar No. 526, S. 2087; Calendar No. 639, S. 2500; Calendar No. 701, S. 2402; Calendar No. 702, S. 2413; and Calendar No. 703, S. 2458.

I ask unanimous consent that any committee amendments be agreed to; that the bills, as amended, be read a third time and passed; that the motion to reconsider be laid upon the table; that any title amendments be agreed to; and that any statements relating to the bills appear at the appropriate place in the RECORD, with the above occurring en bloc. I should note that this has been cleared with the Democratic side.

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

#### MILES LAND EXCHANGE ACT OF 1998

The bill (H.R. 1021) to provide for a land exchange involving certain National Forest System lands within the Routt National Forest in the State of Colorado, was considered, ordered to a third reading, read the third time, and passed.

#### CONVEYING CERTAIN ADMINISTRATIVE SITES FOR THE NATIONAL FORESTS IN THE STATE OF ARIZONA

The Senate proceeded to consider the bill (S. 1752) to authorize the Secretary of Agriculture to convey certain administrative sites and use the proceeds for the acquisition of office sites and the acquisition, construction, or improvement of offices and support buildings for the Coconino National Forest, Kaibab National Forest, Prescott National Forest, and Tonto National Forest in the State of Arizona, which had been reported from the Committee on Energy and Natural Resources, with an amendment to strike all after the enacting clause and inserting in lieu thereof the following:

**SECTION 1. DEFINITIONS.**

In this Act, the term "Secretary" means the Secretary of Agriculture.

**SEC. 2. SALE OR EXCHANGE OF ADMINISTRATIVE SITES.**

(a) IN GENERAL.—Subject to subsection (c), the Secretary, under such terms and conditions as the Secretary may prescribe, may sell or exchange any or all right, title, and interest of the United States in and to the following National Forest System administrative sites:

(1) The Camp Verde Administrative Site, comprising approximately 213.60 acres, as depicted on the map entitled "Camp Verde Administrative Site", dated April 12, 1997.

(2) A portion of the Cave Creek Administrative Site, comprising approximately 16 acres, as depicted on the map entitled "Cave Creek Administrative Site", dated May 1, 1997.

(3) The Fredonia Duplex Housing Site, comprising approximately 1.40 acres and the Fredonia Housing Site, comprising approximately 1.58 acres, as depicted on the map entitled "Fredonia Duplex Dwelling, Fredonia Ranger Dwelling", dated August 28, 1997.

(4) The Groom Creek Administrative Site, comprising approximately 7.88 acres, as depicted on the map entitled "Groom Creek Administrative Site", dated April 29, 1997.

(5) The Payson Administrative Site, comprising approximately 296.43 acres, as depicted on the map entitled "Payson Administrative Site", dated May 1, 1997.

(6) The Sedona Administrative Site, comprising approximately 21.41 acres, as depicted on the map entitled "Sedona Administrative Site", dated April 12, 1997.

(b) EXCHANGE ACQUISITIONS.—The Secretary may acquire land and existing or future administrative improvements in exchange for a conveyance of an administrative site under subsection (a).

(c) APPLICABLE AUTHORITIES.—A sale or exchange of an administrative site shall be subject to the laws (including regulations) applicable to the conveyance and acquisition of land for National Forest System purposes.

(d) CASH EQUALIZATION.—Notwithstanding any other provision of law, the Secretary may accept a cash equalization payment in excess of 25 percent of the value of an administrative site in an exchange under subsection (a).

(e) SOLICITATIONS OF OFFERS.—In carrying out this Act, the Secretary may—

(1) use solicitations of offers for sale or exchange on such terms and conditions as the Secretary may prescribe; and

(2) reject any offer if the Secretary determines that the offer is not adequate or not in the public interest.

**SEC. 3. DISPOSITION OF FUNDS.**

The proceeds of a sale or exchange under section 2 shall be deposited in the fund established under Public Law 90-171 (16 U.S.C. 484a) (commonly known as the "Sisk Act") and shall be available for expenditure, until expended, for—

(1) the acquisition of land and interests in land for administrative sites; and

(2) the acquisition, construction, or improvement of offices and new or other administrative buildings for the Coconino National Forest, Kaibab National Forest, Prescott National Forest, and Tonto National Forest.

**SEC. 4. REVOCATIONS.**

(a) PUBLIC LAND ORDERS.—Notwithstanding any other provision of law, to facilitate the sale or exchange of the administrative sites, public land orders withdrawing the administrative sites from all forms of appropriation under the public land laws are revoked for any portion of the administrative sites conveyed by the Secretary.

(b) EFFECTIVE DATE.—The effective date of a revocation made by this section shall be the date of the patent or deed conveying the administrative site.

The committee amendment was agreed to.

The bill (S. 1752), as amended, was considered read the third time and passed.

**WELLTON-MOHAWK TRANSFER ACT**

The Senate proceeded to consider the bill (S. 2087) to authorize the Secretary of the Interior to convey certain works, facilities, and titles of the Gila Project, and designated lands within or adjacent to the Gila Project, to the Wellton-Mohawk Irrigation and Drainage District, and for other purposes, which had been reported from the Committee on Energy and Natural Resources, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

**SECTION 1. SHORT TITLE**

This Act may be referred to as the "Wellton-Mohawk Transfer Act".

**SEC. 2. TRANSFER**

The Secretary of the Interior ("Secretary") is authorized to carry out the terms of the Memorandum of Agreement No. 8-AA-34-WAO14 ("Agreement") dated July 10, 1998 between the Secretary and the Wellton-Mohawk Irrigation and Drainage District ("District") providing for the transfer of works, facilities, and lands to the District, including conveyance of Acquired Lands, Public Lands, and Withdrawn Lands, as defined in the Agreement.

**SEC. 3. WATER AND POWER CONTRACTS**

Notwithstanding the transfer, the Secretary and the Secretary of Energy shall provide for and deliver Colorado River water and Parker-Davis Project Priority Use Power to the District in accordance with the terms of existing contracts with the District, including any amendments or supplements thereto or extensions thereof and as provided under section 2 of the Agreement.

**SEC. 4. SAVINGS**

Nothing in this Act shall affect any obligations under the Colorado River Basin Salinity Control Act (Public Law 93-320, 43 U.S.C. 1571).

**SEC. 5. REPORT**

If transfer of works, facilities, and lands pursuant to the Agreement has not occurred by July 1, 2000, the Secretary shall report on the status of the transfer as provided in section 5 of the Agreement.

**SEC. 6. AUTHORIZATION**

There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

The committee amendment was agreed to.

The bill (S. 2087), as amended, was considered read the third time and passed.

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**PROTECTING THE SANCTITY OF CONTRACTS AND LEASES ENTERED INTO BY SURFACE PATENT HOLDERS WITH RESPECT TO COALBED METHANE GAS**

The Senate proceeded to consider the bill (S. 2500) to protect the sanctity of contracts and leases entered into by surface patent holders with respect to coalbed methane gas, which had been reported from the Committee on Energy and Natural Resources, with an amendment; as follows:

(The part of the bill intended to be inserted is shown in *italic*.)

S. 2500

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

**SECTION 1. PROTECTION OF SANCTITY OF CONTRACTS AND LEASES OF SURFACE PATENT HOLDERS WITH RESPECT TO COALBED METHANE GAS.**

(a) IN GENERAL.—Subject to subsection (b), the United States shall recognize as not in-

fringing upon any ownership rights of the United States to coalbed methane gas—

(1) contract or lease covering any land that was conveyed by the United States under the Act entitled "An Act for the protection of surface rights of entrymen", approved March 3, 1909 (30 U.S.C. 81), or the Act entitled "An Act to provide for agricultural entries on coal lands", approved June 22, 1910 (30 U.S.C. 83 et seq.), that was—

(A) entered into by a person who has title to said land derived under said Acts, and

(B) that conveys rights to explore for, extract, and sell coalbed methane from said land; or

(2) coalbed methane production from the lands described in subsection (a)(1) by a person who has title to said land and who, on or before the date of enactment of this Act, has filed an application with the State oil and gas regulating agency for a permit to drill an oil and gas well to a completion target located in a coal formation.

(b) APPLICATION.—Subsection (a)—

(1) shall apply only to a valid contract or lease described in subsection (a) that is in effect on the date of enactment of this Act;

(2) shall not otherwise change the terms or conditions of, or affect the rights or obligations of any person under such a contract or lease;

(3) shall apply only to land with respect to which the United States is the owner of coal reserved to the United States in a patent issued under the Act of March 3, 1909 (30 U.S.C. 81), or the Act of June 22, 1910 (30 U.S.C. 83 et seq.), the position of the United States as the owner of the coal not having passed to a third party by deed, patent or other conveyance by the United States;

(4) shall not apply to any interest in coal or land conveyed, restored, or transferred by the United States to a federally recognized Indian tribe, including any conveyance, restoration, or transfer made pursuant to the Indian Reorganization Act, June 18, 1934 (c. 576, 48 Stat. 984, as amended); the Act of June 28, 1938 (c. 776, 52 Stat. 1209 as implemented by the order of September 14, 1938, 3 Fed. Reg. 1425); and including the area described in §3 of Public Law 98-290; or any executive order;

(5) shall not be construed to constitute a waiver of any rights of the United States with respect to coalbed methane production that is not subject to subsection (a); and

(6) shall not limit the right of any person who entered into a contract or lease before the date of enactment of this Act, or enters into a contract or lease on or after the date of enactment of this Act, for coal owned by the United States, to mine and remove the coal and to release coalbed methane without liability to any person referred to in subsection (a)(1)(A) or (a)(2).

The committee amendment was agreed to.

The bill (S. 2500), as amended, was considered read the third time and passed.

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**CONVEYING CERTAIN LANDS TO SAN JUAN COLLEGE**

The Senate proceeded to consider the bill (S. 2402) to direct the Secretary of Agriculture to convey certain lands in San Juan County, New Mexico, to San Juan College, which had been reported from the Committee on Energy and