The allocation shall become effective when the decree referred to in section 101(b) has become final in accordance with that section. The allocation shall be part of the Tribal Water Right and subject to the terms of this Act.

(2) AGREEMENT.—The Secretary shall enter into an agreement with the Tribe setting forth the terms of the allocation and providing for the Tribe's use or temporary transfer of water stored in Lake Elwell, subject to the terms and conditions of the Compact and this Act.

(3) PROTECTED WATER RIGHTS.—The allocation provided in this section shall be subject to the prior reserved water rights, if any, of any Indian tribe, or person claiming water through any Indian tribe.

(b) USE AND TEMPORARY TRANSFER OF ALLOCATION.—

(1) IN GENERAL.—Subject to the limitations and conditions set forth in the Compact and this Act, the Tribe shall have the right to devote the water allocated by this section to any use, including agricultural, municipal, commercial, industrial, mining, or recreational uses, within or outside the Rocky Boy's Reservation.

(2) CONTRACTS AND AGREEMENTS.—Notwithstanding a provision of statute or common law, the Tribe may, with the approval of the Secretary and subject to the limitations and conditions set forth in the Compact, enter into a service contract, lease, exchange, or other agreement providing for the temporary delivery, use, or transfer of the water allocated by this section, except that no such service contract, lease, exchange, or other agreement may permanently alienate any portion of the tribally allocated.

(c) RANSON STORAGE.—The United States shall retain the right to use for any authorized purpose, any and all storage remaining in Lake Elwell after the allocation made to the Tribe in subsection (a).

(d) WATER TRANSPORT OBLIGATION: DEVELOPMENT AND DELIVERY COSTS.—The United States shall have no responsibility or obligation to provide any facility for the transport of the water allocated by this section to the Rocky Boy's Reservation or to any other location. Except for the contribution set forth in section 101(b), the cost of developing and delivering the water allocated by this title or any other supplemental water to the Rocky Boy's Reservation shall not be borne by the United States.

(e) SECTION NOT PRESIDENTIAL.—The provisions of this section regarding the allocation of water resources from the Tiber Reservoir to the Tribe shall not be construed as precedent in the litigation or settlement of any other Indian water right claims.

SEC. 202. MUNICIPAL, RURAL, AND INDUSTRIAL FEASIBILITY STUDY.

(a) AUTHORIZATION.—

(1) IN GENERAL.—

(2) STUDY.—The Secretary, acting through the Bureau of Reclamation, shall perform an MR&I feasibility study of water and related resources in North Central Montana to evaluate alternatives for a municipal, rural, and industrial supply for the Rocky Boy's Reservation.

(b) USE OF FUNDS MADE AVAILABLE FOR FISCAL YEAR 1999.—The authority under paragraph (1) shall be deemed to apply to regional feasibility study activities for which funds were made available by appropriations for fiscal year 1999.

(c) CONTENTS OF STUDY.—The regional feasibility study shall—

(1) evaluate existing and potential water supplies, uses, and management;

(2) identify major water-related issues, including environmental, water supply, and economic issues;

(3) evaluate opportunities to resolve the issues referred to in paragraph (2); and

(4) evaluate options for implementation of resolutions to the issues.

(c) REQUIREMENTS.—Because of the regional and integral nature of the regional feasibility study, the study may not be segmented. The regional study shall—

(1) utilize, to the maximum extent possible, existing information; and

(2) be planned and conducted in consultation with all affected interests, including interests in Canada.

SEC. 204. AUTHORIZATION OF APPROPRIATIONS FOR FEASIBILITY STUDIES.

(a) FISCAL YEAR 1999 APPROPRIATIONS.—Of the amounts made available by appropriations for fiscal year 1999 for the Bureau of Reclamation, $1,000,000 shall be used for the purpose of commencing the MR&I feasibility study under section 202 and the regional study under section 203, of which—

(1) $500,000 shall be used for the MR&I study under section 202; and

(2) $500,000 shall be used for the regional study under section 203.

(b) FEASIBILITY STUDIES.—There is authorized to be appropriated for the purpose of conducting the MR&I feasibility study under section 202 and the regional study under section 203, $3,000,000 for fiscal year 1999, of which—

(1) $500,000 shall be used for the MR&I feasibility study under section 202; and

(2) $2,500,000 shall be used for the regional study under section 203.

(c) WITHOUT FISCAL YEAR LIMITATION.—All money appropriated pursuant to authorizations under this title shall be available without fiscal year limitation.

(d) AVAILABILITY OF CERTAIN MONEYS.—The amounts made available for use under subsection (a) shall be deemed to have been available for use as of the date on which those funds were appropriated. The amounts authorized to be appropriated in subsection (b) shall be available for use immediately upon appropriation.
S. 28 and H.R. 1384 reflect that agreement, providing the initial facility of base could lead to full development of the park. This bill represents the cooperation of Federal, State and local and tribal governments in an effort to reaffirm the ties of our past while extending those ties to the future. I urge support for this bill.

Mr. GEORGE MILLER of California. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the Senate bill, as follows:

SEC. 2. FINDINGS AND PURPOSES.
(1) the Four Corners Monument is nationally significant as the only geographic location in the United States where 4 State boundaries meet; (2) the States with boundaries that meet at the Four Corners are Arizona, Colorado, New Mexico, and Utah; (3) between 1868 and 1875 the boundary lines that created the Four Corners were drawn, and in 1899 a monument was erected at the site; (4) a United States postal stamp will be issued in 1999 to commemorate the centennial of the original boundary marker; (5) the Four Corners area is distinct in character and possesses important historic, cultural, and prehistoric values and resources within the surrounding cultural landscape; (6) although there are no permanent facilities or utilities at the Four Corners Monument Tribal Park, each year the park attracts approximately 250,000 visitors; (7) the area of the Four Corners Monument Tribal Park falls entirely within the Navajo Nation or Ute Mountain Ute Tribe reservations; (8) the Navajo Nation and the Ute Mountain Ute Tribe have entered into a memorandum of understanding governing the planning and future development of the Four Corners Monument Tribal Park; (9) in 1992, through agreements executed by the Governors of Arizona, Colorado, New Mexico, and Utah, the Four Corners Heritage Council was established as a coalition of State, Federal, tribal, and private interests; (10) the State of Arizona has obligated $45,000 for planning efforts and $250,000 for construction of an interpretive center at the Four Corners Monument Tribal Park; (11) numerous studies and extensive consultation with American Indians have demonstrated that development at the Four Corners Monument Tribal Park would greatly benefit the people of the Navajo Nation and the Ute Mountain Ute Tribe; (12) the Arizona Department of Transportation and U.S. Forest Service preliminary cost estimates that are based on field experience with rest-area development for the construction of a Four Corners Interpretive Center and surrounding facilities, including rest-rooms, roadways, parking areas, and water, electrical, telephone, and sewage facilities; (13) an interpretive center would provide important educational and enrichment opportunities for all Americans; and (14) Federal financial assistance and technical expertise are needed for the construction of an interpretive center.

(b) PURPOSES.—The purposes of this Act are— (1) to recognize the importance of the Four Corners Monument and surrounding landscape as a distinct area in the heritage of the United States that is worthy of interpretation and preservation; (2) to assist the Navajo Nation and the Ute Mountain Ute Tribe in establishing the Four Corners Interpretive Center and related facilities to meet the needs of the general public; (3) to highlight and showcase the collaborative resource stewardship of private individuals, Indian tribes, universities, Federal agencies, and the governments of States and political subdivisions thereof (including counties); and (4) to promote knowledge of the life, art, culture, politics, and history of the culturally diverse groups of the Four Corners region.

SEC. 3. DEFINITIONS.
(a) As used in this Act: (1) CENTER.—The term Center means the Four Corners Interpretive Center established under section 4 of this Act, including restrooms, parking areas, vendor facilities, sidewalks, utilities, exhibits, and other visitor facilities.
(2) ELIGIBLE ENTITY.—The term eligible entity means the State of Arizona, Colorado, New Mexico, or Utah, or any consortium of 2 or more of those States.
(3) FOUR CORNERS HERITAGE COUNCIL.—The term Four Corners Heritage Council means the nonprofit coalition of Federal, State, tribal, and private entities established in 1992 by agreements of the Governments of the States of Arizona, Colorado, New Mexico, and Utah.
(4) FOUR CORNERS MONUMENT.—The term Four Corners Monument means the physical monument where the boundaries of the States of Arizona, Colorado, New Mexico, and Utah meet.
(5) FOUR CORNERS MONUMENT TRIBAL PARK.—The term Four Corners Monument Tribal Park means lands within the legally defined boundaries of the Four Corners Monument Tribal Park.
(6) SECRETARY.—The term Secretary means the Secretary of the Interior.

SEC. 4. FOUR CORNERS INTERPRETIVE CENTER.
(a) ESTABLISHMENT.—Subject to the availability of appropriations, the Secretary is authorized to establish within the boundaries of the Four Corners Monument Tribal Park a center for the interpretation and commemoration of the Four Corners Monument, to be known as the Four Corners Interpretive Center.
(b) LAND DESIGNATED AND MADE AVAILABLE.—Land for the Center shall be designated and made available by the Navajo Nation or the Ute Mountain Ute Tribe within the boundaries of the Four Corners Monument Tribal Park in consultation with the Four Corners Heritage Council and in accordance with— (1) a memorandum of understanding between the Navajo Nation and the Ute Mountain Ute Tribe that was entered into on October 22, 1992; (2) applicable supplemental agreements with the Bureau of Land Management, the National Park Service, and the United States Forest Service; and (3) CONCURRENCE.—Notwithstanding any other provision of this Act, no such center shall be established without the consent of the Navajo Nation and the Ute Mountain Ute Tribe.

(b) COMPONENTS OF CENTER.—The Center shall include— (1) a location for permanent and temporary exhibits depicting the archaeological, cultural, and natural heritage of the Four Corners region; (2) a venue for public education programs; (3) a location to highlight the importance of efforts to preserve southwestern archaeological sites and museum collections; (4) a location to provide information to the general public about cultural and natural resources, parks, museums, and travel in the Four Corners region; and (5) visitor amenities including restrooms, public telephones, and other basic facilities.

SEC. 5. CONSTRUCTION GRANT.
(a) GRANT.— (1) IN GENERAL.—The Secretary is authorized to award a grant to an eligible entity for the construction of the Center in an amount not to exceed 50 percent of the cost of construction of the Center.

(b) ASSURANCES.—To be eligible for the grant, the eligible entity that is selected to receive the grant shall provide assurances that— (A) the non-Federal share of the costs of construction is paid from non-Federal funds which may include contributions made by States, private sources, the Navajo Nation, and the Ute Mountain Ute Tribe for planning, design, construction, furnishing, startup, and operational expenses; and (B) the aggregate amount of non-Federal funds contributed by the States used to carry out the activities specified in subparagraph (A) will not be less than $2,000,000, of which each of the States that party to the grant will contribute equally in cash or in kind.

(c) FUNDS FROM PRIVATE SOURCES.—A State may use funds from private sources to meet the requirements of paragraph (2)(B).

(d) FUNDS OF STATE OF ARIZONA.—The State of Arizona may apply $45,000 authorized by law of the State of Arizona during fiscal year 1998 for planning and $250,000 that is held in reserve by the State for construction toward the Arizona share.

(g) GRANT REQUIREMENTS.—In order to receive a grant under this Act, the eligible entity selected to receive the grant shall— (1) submit to the Secretary a proposal that— (A) meets all applicable— (i) laws, including building codes and regulations; and (ii) requirements under the memorandum of understanding described in paragraph (2); and (B) provides such information and assurances as the Secretary may require; and (2) enter into a memorandum of understanding with the Secretary providing— (A) a timetable for completion of construction and opening of the Center; (B) assurances that design, architectural, and construction contracts will be competitively awarded; (C) specifications meeting all applicable Federal, State, and local building codes and laws; (D) arrangements for operations and maintenance upon completion of construction; and (E) a description of the Center collections and educational programming;
(P) a plan for design of exhibits including, but not limited to, the selection of collections to be exhibited, and the providing of security, preservation, protection, environmental controls, and presentations in accordance with professional museum standards;

(G) an agreement with the Navajo Nation and the Ute Mountain Ute Tribe relative to site selection and public access to the facilities; and

(H) a financing plan developed jointly by the Navajo Nation and the Ute Mountain Ute Tribe outlining the long-term management of the Center, including:
(i) the acceptance and use of funds derived from public and private sources to minimize the use of appropriated or borrowed funds;
(ii) the payment of the operating costs of the Center through the assessment of fees or other income generated by the Center;
(iii) appropriate vendor standards and business activities at the Four Corners Monument Tribal Park.

SEC. 6. SELECTION OF GRANT RECIPIENT.

The Four Corners Heritage Council may make recommendations to the Secretary on grant proposals regarding the design of facilities at the Four Corners Monument Tribal Park.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATIONS.—There are authorized to be appropriated to the Department of the Interior to carry out this Act—
(1) $10,000,000 for fiscal year 2000; and
(2) $50,000 for each of fiscal years 2001 through 2005 for maintenance and operation of the Center, program development, or staffing in a manner consistent with the requirements of section 5(b).

(b) CARRYOVER.—Funds made available under subsection (a)(1) that are unexpended at the end of the fiscal year for which those funds are appropriated, may be used by the Secretary through fiscal year 2002 for the purposes for which those funds are made available.

(c) RESERVATION OF FUNDS.—The Secretary may reserve funds appropriated pursuant to this Act until a grant proposal meeting the requirements set forth in the Act is submitted, but no later than September 30, 2001.

SEC. 8. DONATIONS.

Notwithstanding any other provision of law, the Secretary may accept, by gift, devise, bequest, or otherwise, donations of funds, and use property or services donated, from private persons or entities or from public entities.

SEC. 9. STATUTORY CONSTRUCTION.

Nothing in this Act is intended to abrogate, modify, or impair any right or claim of the Navajo Nation or the Ute Mountain Ute Tribe, that is based on any law (including any treaty, Executive order, agreement, or Act of Congress).

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FALLEN TIMBERS BATTLEFIELD AND FORT MIAMIS NATIONAL HISTORIC SITE ACT OF 1999

Mr. HANSEN. Mr. Speaker, I ask unanimous consent that the Committee on Resources be discharged from further consideration of the Senate bill (S. 548) to establish the Fallen Timbers Battlefield and Fort Miami National Historical Site in the State of Ohio, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

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

Mr. GEORGE MILLER of California. Mr. Speaker, reserving the right to object, I do so for the purposes of yielding to the gentleman so he may explain the bill.

Mr. HANSEN. Mr. Speaker, will the gentleman yield?

Mr. GEORGE MILLER of California. I yield to the gentleman from Utah.

Mr. HANSEN. Mr. Speaker, I appreciate the gentleman yielding. Mr. Speaker, S. 548 introduced by Senator Mike DeWine from Ohio and the gentlewoman from Ohio (Ms. KAPTUR), who have worked so diligently on this bill, authorizes the establishment of the Fallen Timbers Battlefield and Fort Miami National Historical Site in Ohio.

The historical site shall be established as an affiliated area of the national park system and shall be administered in a manner consistent with the National Park Service.

The Metropolitan Park District of the Toledo area would be established as the management entity and is responsible for developing a management plan for the site. The Secretary of the Interior will provide both financial and technical assistance to implement the management plan and develop programs to preserve and interpret the historical, cultural, natural, recreational, and scenic resources of the site.

The National Park Service completed a special resource study in October of 1998 of the site, which is already designated as a national historic landmark, and recommended affiliate status.

The bill has support from the National Park Service and the minority, and I urge my colleagues to support this bill.

Ms. KAPTUR. Mr. Speaker, will the gentleman yield?

Mr. GEORGE MILLER of California. I yield to the gentlewoman from Ohio, who has worked so very, very hard on this legislation.

Ms. KAPTUR. Mr. Speaker, I just wanted to, as we close out this first session of the 106th Congress, and we close out this century, extend my deepest appreciation on behalf of the people of Ohio and, by affiliation, the people of Michigan, Indiana, and Illinois—for new settlements in our fledgling nation.

Another, contemporary battle should also be recognized here today. That is the struggle for national recognition of the Battle of Fallen Timbers as a keystone in the Maumee Valley and the Midwest.

In 1991, I was able to secure authorization in the Interior Appropriations bill for the National Park Service to assess the Maumee River Heritage Corridor for historically significant sites. The first site assessed was the Fallen Timbers battlefield.

We will hear later this morning from two people who have served in that more recent battle, Dr. G. Michael Pratt from Heidelberg College and Jean Ward, Director of Metropolitan Parks of the Toledo Lucas County Park District. Mr. Pratt heads the Center for Historic and Military Archeology. He led the archaeological study that definitively located the Fallen Timbers Battlefield site. Jean Ward has served the Toledo area as director of its park system for more than 30 years. Toledo Metroparks manages over 7,000 acres of parkland and historic sites in Lucas County.

THE BATTLE OF FALLEN TIMBERS

In 1794, the line of control between British forces and their Native American allies and their forces of the United States lay across the “Four Corners” of the Maumee River. On August 20, 1794, General Anthony Wayne led his legion down the Maumee River valley from near what is now Waterville, Ohio. Coming to an area where a recent storm had toppled much of the forest, Wayne’s leading elements were engaged by about 1,100 warriors from a confederacy of Ohio and Great Lakes tribes. The U.S. soldiers fell back to their main lines and a pitched battle surged back and forth over the “fallen timbers.” Finally, a concerted charge by the entire legion drove the Native Americans back to within sight of Fort Miami to the northeast, and their resistance dissipated.

The Native American coalition included members of the Wyandot, Miami, Ottawa, from California (Mr. GEORGE MILLER), to permit the people of our region of the United States to tell the full story of our history, the battle that occurred on this site and the assumption of the northwest territory and the opening of our entire region of the Nation to settlement.

I cannot thank the gentlemen enough on behalf of the people of the Buckeye State and our adjoining sister States for making this possible, before this century ends.

Mr. Speaker, the bill before us today is a matter of great significance to the American Midwest and to the 9th District of Ohio in particular. The bill under consideration today, Senator DeWine’s S. 548, is the companion to legislation I have introduced in the House, H.R. 888. I wish to thank Senator DeWine for taking the lead on this measure in the Senate.