The Senate proceeded to consider the bill (S. 624) to authorize construction of the Fort Peck Reserve Rural Water System in the State of Montana, 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 inserting in lieu there of the following:

SECTION 1. SHORT TITLE.
This Act may be cited as the “Fort Peck Reservation Rural Water System Act of 1999”.

SEC. 2. FINDINGS AND PURPOSES.
(a) FINDINGS.—Congress finds that—
(1) there are insufficient water supplies available to residents of the Fort Peck Indian Reservation in the State of Montana, and the water systems currently in place are not adequate to meet minimum health and safety standards and therefore pose a threat to public health and safety;
(2) in carrying out its trust responsibility, the United States that adequate and safe water supplies are available to meet the economic, environmental, water supply, and public health needs of the Fort Peck Indian Reservation; and
(3) the best available, reliable, and safe rural and municipal water supply to serve the needs of the Fort Peck Indian Reservation is the Missouri River.

(b) PURPOSES.—The purposes of this Act are—
(1) to ensure a safe and adequate municipal, rural, and industrial water supply for the residents of the Fort Peck Indian Reservation in the State of Montana; and
(2) to assist the citizens of Roosevelt, Sheridan, Daniels, and Valley Counties in the State, outside the Fort Peck Indian Reservation, in developing safe and adequate municipal, rural, and industrial water supplies.

SEC. 3. DEFINITIONS.
In this Act—
(1) ASSINIBOINE AND SIOUX RURAL WATER SYSTEM.—The term “Assiniboine and Sioux Rural Water System” means the Assiniboine and Sioux Indian Tribes until—
(A) the Secretary determines that—
(i) the water conservation plan developed by the Assiniboine and Sioux Indian Tribes is adequate to fulfill the obligations of the Act; or
(ii) administration of contracts relating to performance of the activities described in clauses (i) through (iv) of section 4(b) is completed; and
(B) the procedures and requirements for approval and acceptance of the design and construction for carryout and for carryout of this Act, including systems owned by individual tribal members and other residents of the Fort Peck Indian Reservation; or
(3) service area.—The service area of the Assiniboine and Sioux Rural Water System shall be the area within the boundaries of the Fort Peck Indian Reservation.

SEC. 4. ASSINIBOINE AND SIOUX RURAL WATER SYSTEM.
(a) AUTHORIZATION.—The Secretary shall plan, design, construct, operate, maintain, and replace a municipal, rural, and industrial water system, to be known as the “Assiniboine and Sioux Rural Water System”, as generally described in the report required by subsection (g)(2).
(b) COMPONENTS.—The Assiniboine and Sioux Rural Water System shall consist of—
(1) pumping and treatment facilities located along the Missouri River within the boundaries of the Fort Peck Indian Reservation;
(2) pipelines extending from the water treatment plant throughout the Fort Peck Indian Reservation;
(3) distribution and treatment facilities to serve the needs of the Fort Peck Indian Reservation, including—
(A) public water systems in existence on the date of enactment of this Act that may be purchased, improved, and repaired in accordance with the cooperative agreement entered into under subsection (c); and
(B) water systems owned by individual tribal members and other residents of the Fort Peck Indian Reservation;
(4) appurtenant buildings and access roads;
(5) all property and property rights necessary for the facilities described in clauses (i) through (iii) of this subsection;
(6) electrical power transmission and distribution facilities necessary for services to Fort Peck Reservation Rural Water System facilities; and
(7) such other pipelines, pumping plants, and facilities as the Secretary determines to be appropriate to meet the water supply, economic, public health, and environmental needs of the Fort Peck Indian Reservation, including water storage tanks, water lines, and other facilities for the Fort Peck Tribes and the villages, towns, and municipalities in the Fort Peck Indian Reservation.

(c) COOPERATIVE AGREEMENT.—
(1) IN GENERAL.—The Secretary shall enter into a cooperative agreement with the Fort Peck Tribal Executive Board for planning, designing, constructing, operating, maintaining, and replacing the Assiniboine and Sioux Rural Water System.

(d) SERVICE AREA.—The service area of the Assiniboine and Sioux Rural Water System shall be the area within the boundaries of the Fort Peck Indian Reservation.

(e) TITLE TO ASSINIBOINE AND SIOUX RURAL WATER SYSTEM.—Title to the Assiniboine and Sioux Rural Water System shall be held in trust by the United States for the Fort Peck Indian Reservation and shall be held in trust unless a transfer is authorized by an Act of Congress enacted after the date of enactment of this Act.

(f) LIMITATION ON AVAILABILITY OF CONSTRUCTION FUNDS.—The Secretary shall not obligate funds for construction of the Assiniboine and Sioux Rural Water System until—
(1) the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) are met with respect to the Assiniboine and Sioux Rural Water System;
(2) or on or after the date that is 90 days after the date of submission to Congress of a final engineering report approved by the Secretary;
(3) the Secretary publishes a written finding that the water conservation plan developed under section 7 includes prudent and reasonable water conservation measures for the operation of the Assiniboine and Sioux Rural Water System that have been shown to be economically and financially feasible.

(g) MANDATORY PROVISIONS.—The cooperative agreement under paragraph (1) shall specify, in a manner that is acceptable to the Secretary and the Fort Peck Tribal Executive Board—
(1) the responsibilities of each party to the agreement for—
(i) needs assessment, feasibility, and environmental studies;
(ii) engineering and design;
(iii) construction;
(iv) water conservation measures; and
Water System within the Fort Peck Indian Reservation shall be subject to the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.).

SEC. 5. DRY PRAIRIE RURAL WATER SYSTEM.

(a) PLANNING AND CONSTRUCTION.—

(1) AUTHORIZATION.—The Secretary shall enter into a cooperative agreement with Dry Prairie Rural Water Association Incorporated to provide Federal assistance for the planning, design, and construction of the Dry Prairie Rural Water System in Roosevelt, Sheridan, Daniels, and Valley Counties, Montana, outside the Fort Peck Indian Reservation.

(2) USE OF FEDERAL FUNDS.—

(A) FEDERAL SHARE.—The Federal share of the cost of planning, design, and construction of the Dry Prairie Rural Water System shall not be more than 76 percent.

(B) COOPERATIVE AGREEMENT.—Federal funds made available to carry out this section may be obligated and expended only through a cooperative agreement entered into under subsection (a).

(C) COMPONENTS.—The components of the Dry Prairie Rural Water System facilities on which Federal funds may be obligated and expended under this section shall include—

(1) storage, pumping, interconnection, and pipeline facilities;

(2) appurtenant buildings and access roads;

(3) all property and property rights necessary for the facilities described in this subsection;

(4) electrical power transmission and distribution facilities necessary for service to Dry Prairie Rural Water System facilities; and

(5) other facilities customary to the development of rural water distribution systems in the State, including supplemental water intake, pumping, and treatment facilities.

(d) RECOVERY OF EXPENSES.—

(1) IN GENERAL.—The Secretary shall—

(A) interconnect the Dry Prairie Rural Water System with the Assiniboine and Sioux Rural Water System; and

(B) provide for the delivery of water to the Dry Prairie Rural Water System from the Missouri River to the Assiniboine and Sioux Rural Water System.

(2) CHARGES.—The Secretary shall not charge for the water delivered.

(g) LIMITATION ON USE OF FEDERAL FUNDS.—

(1) IN GENERAL.—The operation, maintenance, and replacement expenses associated with water deliveries from the Assiniboine and Sioux Rural Water System to the Dry Prairie Rural Water System shall not be a Federal responsibility and shall be borne by the Dry Prairie Rural Water System.

(2) FEDERAL FUNDS.—The Secretary may not obligate or expend any Federal funds for the operation, maintenance, or replacement of the Dry Prairie Rural Water System.

(h) TITLE TO DRY PRAIRIE RURAL WATER SYSTEM.—Title to the Dry Prairie Rural Water System shall be held by Dry Prairie Rural Water Association Incorporated.

SECTION 6. USE OF PICK-SLOAN POWER.

(a) IN GENERAL.—From power designated for future irrigation and drainage pumping under sections 10, 11, and 12 of the Pick-Sloan Program, the Western Area Power Administration shall make available the capacity and energy required to meet the pumping, treatment, and incidental operational requirements of the Dry Prairie Rural Water System and Assiniboine and Sioux Rural Water System, as described in sections 4 and 5.

(b) CONDITIONS.—The capacity and energy described in subsection (a) shall be made available on the following conditions:

(1) The Dry Prairie Rural Water System and Assiniboine and Sioux Rural Water Systems shall meet the water service area defined by the Secretary and the Western Area Power Administration.

(2) The Dry Prairie Rural Water System and Assiniboine and Sioux Rural Water Systems shall contract to purchase their entire electric service requirements, including the capacity and energy made available under subsection (a), from a qualified power supplier that purchases power from the Western Area Power Administration.

(3) The rate schedule applicable to the capacity and energy made available under subsection (a) shall be the wholesale firm power rate schedule of the Pick-Sloan Eastern Division of the Western Area Power Administration in effect at the time the power is delivered by the Administration.

(4) It shall be agreed by contract among—

(A) the Western Area Power Administration;

(B) the power supplier with which the water Dry Prairie Rural Water System and Assiniboine and Sioux Rural Water System contract under paragraph (2); and

(C) the power supplier of the entity described in subparagraph (B).

SEC. 7. WATER CONSERVATION PLAN.

(a) PLANNING AND DEVELOPMENT.—The Fort Peck Tribes and Dry Prairie Rural Water Association Incorporated shall develop a water conservation plan containing—

(1) a description of water conservation objectives; and

(2) a description of appropriate water conservation measures and a time schedule for implementing the measures and this Act to meet the water conservation objectives.

(b) PURPOSE.—The water conservation plan under this section shall be designed to ensure that users of water from the Assiniboine and Sioux Rural Water System and the Dry Prairie Rural Water System will use the best available technology and management techniques to conserve water.

(c) PUBLIC PARTICIPATION.—Section 210(c) of the Reclamation Reform Act of 1982 (43 U.S.C. 390jj(c)) shall apply to an activity authorized under this Act.

SECTION 8. WATER RIGHTS.

This Act does not authorize the validity of or preempt any provision of State water law or any interstate compact governing water;

(2) alter the right of any State to any appropriation of the water of any body of surface or ground water, whether determined by any past or future interstate compact or
by any past or future legislative or final judicial proceeding.

(3) preempt or modify any Federal or State law or interstate compact concerning water quality or disposal;

(4) exceed any non-Federal entity the authority to approve any Federal right to the water of any stream or to any ground water resource;

(5) affect any right of the Fort Peck Tribes to water, located within or outside the exterior boundaries of the Fort Peck Indian Reservation, based on a treaty, compact, executive order, or statute, Act of Congress, or original title, the decision in Winters v. United States, 207 U.S. 564 (1908) (commonly known as the ‘Winters Doctrine’), or other law; or

(6) validate or invalidate any assertion of the existence, nonexistence, or extinguishment of any water right held by Indian water compact entered into by the Fort Peck Tribes or by any other Indian tribe or individual Indian under Federal or State law.

SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

(a) ASSINIBOINE AND SIOUX RURAL WATER SYSTEM.—There are authorized to be appropriated—

(1) over a period of 10 fiscal years, $124,000,000, for planning, design, and construction of the Assiniboine and Sioux Rural Water System in accordance with subsections (b), (d), and (e) of section 4; and

(2) such sums as are necessary for the operation, maintenance, and replacement of the Assiniboine and Sioux Rural Water System, including power costs of the Western Area Power Administration.

(b) DRY PRAIRIE RURAL WATER SYSTEM.—There is authorized to be appropriated, over a period of 10 fiscal years, $31,000,000 for planning, design, and construction of the Dry Prairie Rural Water System.

(c) COST INDEXING.—The funds authorized to be appropriated may be increased or decreased by such amounts as are justified by reason of ordinary fluctuations in development costs incurred after October 1, 1998, as indicated by engineering cost indices applicable to construction of similar facilities.

The committee amendment in the nature of a substitute was agreed to.

The bill (S. 624, as amended), was passed, as follows:

S. 624

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 ‘Fort Peck Reservation Rural Water System Act of 1999’.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) there are insufficient water supplies available to residents of the Fort Peck Indian Reservation in the State of Montana, and the water systems that are available do not meet minimum health and safety standards and therefore pose a threat to public health and safety;

(2) in carrying out its trust responsibility, the United States should ensure that adequate and safe water supplies are available to meet the economic, environmental, water supply, and public health needs of the Fort Peck Indian Reservation; and

(3) the best available, reliable, and safe rural and municipal water supply to serve the needs of the Fort Peck Indian Reservation is—

(b) PURPOSES.—The purposes of this Act are—

(1) to ensure a safe and adequate municipal, rural, and industrial water supply for the residents of the Fort Peck Indian Reservation in the State of Montana; and

(2) to assist the citizens of Roosevelt, Sheridan, Daniels, and Valley Counties in the State of Montana in the development of water systems within the Fort Peck Indian Reservation authorized by section 4.

SEC. 3. DEFINITIONS.

In this Act:

(1) ASSINIBOINE AND SIOUX RURAL WATER SYSTEM.—The term ‘Assiniboine and Sioux Rural Water System’ means the rural water system within the Fort Peck Indian Reservation authorized by section 4.

(2) DRY PRAIRIE RURAL WATER SYSTEM.—The ‘Dry Prairie Rural Water System’ means the rural water system authorized by section 4 in the Roosevelt, Sheridan, Daniels, and Valley Counties of the State.

(3) FOR PECK TRIBES.—The term ‘Fort Peck Tribes’ means the Assiniboine and Sioux Indian Tribes within the Fort Peck Indian Reservation.

(4) PICK-SLOAN.—The term ‘Pick-Sloan’ means the Pick-Sloan Missouri River Basin Program.

(5) STATE.—The term ‘State’ means the State of Montana.

(6) T E RMINATION.—The Secretary may terminate a cooperative agreement under paragraph (1) if the Secretary determines that—

(A) the quality of construction does not meet all standards established for similar facilities constructed by the Secretary;

(B) the operation and maintenance of the Assiniboine and Sioux Rural Water System does not meet conditions acceptable to the Secretary that are adequate to fulfill the obligations of the United States to the Fort Peck Tribes.

(7) STATE.—The ‘State’ means the State of Montana.

SEC. 4. ASSINIBOINE AND SIOUX RURAL WATER SYSTEM.

(a) AUTHORIZATION.—The Secretary shall plan, design, construct, operate, maintain, and replace a municipal, rural, and industrial water supply for the community to be known as the ‘Assiniboine and Sioux Rural Water System’, as generally described in the report required by subsection (g)(2).

(b) COMMITMENTS.—The Assiniboine and Sioux Rural Water System shall consist of—

(1) pumping and treatment facilities located along the Missouri River within the boundaries of the Fort Peck Indian Reservation;

(2) pipelines extending from the water treatment plant throughout the Fort Peck Indian Reservation;

(3) distribution and treatment facilities to serve the needs of the Fort Peck Indian Reservation, including—

(A) public water systems in existence on the date of enactment of this Act that may be purchased, improved, and repaired in accordance with the cooperative agreement entered into under subsection (c); and

(B) water systems owned by individual tribal members and other residents of the Fort Peck Indian Reservation;

(4) agricultural and access roads;

(5) all property and property rights necessary for the facilities described in this subsection;

(6) electrical power transmission and distribution facilities necessary for services to Fort Peck Reservation Rural Water System facilities; and

(7) such other pipelines, pumping plants, and facilities as the Secretary determines to be necessary to fulfill the economic, public health, and environmental obligations of the United States to the Fort Peck Tribes and the villages, towns, and municipalities in the State of Montana.

(c) CONSTRUCTION REQUIREMENTS.—The components of the Assiniboine and Sioux Rural Water System shall be the area within the boundaries of the Fort Peck Indian Reservation.

(d) SERVICE AREA.—The service area of the Assiniboine and Sioux Rural Water System shall be the area within the boundaries of the Fort Peck Indian Reservation.

(e) CONSTRUCTION REQUIREMENTS.—The components of the Assiniboine and Sioux Rural Water System shall be the area within the boundaries of the Fort Peck Indian Reservation.

(f) TITLE TO ASSINIBOINE AND SIOUX RURAL WATER SYSTEM.—The title to the Assiniboine and Sioux Rural Water System shall be held in trust by the United States for the Fort Peck Tribes and shall not be transferred unconditionally; and

(g) LIMITATION ON AVAILABILITY OF CONSTRUCTION FUNDS.—The Fort Peck Tribal Executive Board for planning, designing, constructing, operating, maintaining, and replacing the Assiniboine and Sioux Rural Water System.

(h) SCHEDULE.—The Secretary may terminate a cooperative agreement under paragraph (1) if the Secretary determines that—

(A) the quality of construction does not meet all standards established for similar facilities constructed by the Secretary; or

(B) the operation and maintenance of the Assiniboine and Sioux Rural Water System does not meet conditions acceptable to the Secretary that are adequate to fulfill the obligations of the United States to the Fort Peck Tribes.

(i) PURPOSES.—The purposes of this Act are—

(1) to ensure a safe and adequate municipal, rural, and industrial water supply for the residents of the Fort Peck Indian Reservation in the State of Montana; and

(2) to assist the citizens of Roosevelt, Sheridan, Daniels, and Valley Counties in the State of Montana in the development of water systems within the Fort Peck Indian Reservation granted by section 4.

(j) BASIS.—The purposes of this Act are—

(1) to ensure a safe and adequate municipal, rural, and industrial water supply for the residents of the Fort Peck Indian Reservation; and

(2) to assist the citizens of Roosevelt, Sheridan, Daniels, and Valley Counties in the State of Montana in the development of water systems within the Fort Peck Indian Reservation.

(k) COOPERATIVE AGREEMENT.—The cooperative agreement under paragraph (1) shall specify, in a manner that is acceptable to the Secretary and the Fort Peck Tribal Executive Board—

(1) the responsibilities of each party to the agreement for—

(A) planning, design, and construction;

(B) operation and maintenance; and

(C) inspection, evaluation, and accountability;

(2) the area within the boundaries of the Fort Peck Indian Reservation to be served by the Assiniboine and Sioux Rural Water System; and

(3) the methods and procedures for the delivery and payment of funds to the Fort Peck Tribal Executive Board and to the parties to the cooperative agreement.

(l) TRANSFER.—On execution of a cooperative agreement under paragraph (1), in accordance with the cooperative agreement, the Secretary may transfer to the Fort Peck Tribes, on a non-reimbursable basis, funds made available for the Assiniboine and Sioux Rural Water System under section 9.
Self-Determination and Education Assistance Reservation shall be subject to the Indian Water System within the Fort Peck Indian ment of the Assiniboine and Sioux Rural Water System Board, shall enter into concurrence of the Assiniboine and Sioux Rural Water System that have been shown to be economically and financially feasible.

(ii) TECHNICAL ASSISTANCE.—The Secretary shall provide such technical assistance as is necessary to enable the Fort Peck Tribes to plan, design, construct, operate, maintain, and replace the Assiniboine and Sioux Rural Water System, including operation and management training.

(i) APPLICATION OF INDIAN SELF-DETERMINATION ACT.—Planning, design, construction, operation, maintenance, and replacement expenses associated with the Assiniboine and Sioux Rural Water System within the Fort Peck Indian Reservation, subject to the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.).

SEC. 5. DRY PRAIRIE RURAL WATER SYSTEM.

(a) PLANNING AND CONSTRUCTION.

(1) AUTHORIZATION.—The Secretary shall enter into a cooperative agreement with Dry Prairie Rural Water Association Incorporated (or any successor Federal entity) to provide Federal funds for the planning, design, and construction of the Dry Prairie Rural Water System.

(b) COOPERATIVE AGREEMENTS.—Federal funds made available through a cooperative agreement entered into under subsection (c).

(c) REQUIREMENTS.—Any requirement that the Secretary shall make in a cooperative agreement entered into under subsection (c).

(d) INTERCONNECTION OF FACILITIES.

(1) IN GENERAL.—The Secretary shall—

(A) interconnect the Dry Prairie Rural Water System with the Assiniboine and Sioux Rural Water System; and

(B) provide for the delivery of water to the Dry Prairie Rural Water System from the Missouri River through the Assiniboine and Sioux Rural Water System.

(2) CHARGES.—The Secretary shall not charge for the water delivered.

(e) LIMITATION ON USE OF FEDERAL FUNDS.--

(1) IN GENERAL.—The operation, maintenance, and replacement expenses associated with water deliveries from the Assiniboine and Sioux Rural Water System to the Dry Prairie Rural Water System shall not be a Federal responsibility and shall be borne by the Dry Prairie Rural Water System.

(2) FEDERAL FUNDS.—The Secretary may not obligate or expend any Federal funds for the operation, maintenance, or replacement of the Dry Prairie Rural Water System.

(f) TITLE TO DRY PRAIRIE RURAL WATER SYSTEM.

(1) IN GENERAL.—The requirements of the Indian Envi- ronmental Policy Act of 1969 (2 U.S.C. 4321 et seq.) are met with respect to the Dry Prairie Rural Water System until—

(a) the requirements of the National Envi- ronmental Policy Act of 1969 (2 U.S.C. 4321 et seq.) are met with respect to the Dry Prairie Rural Water System; and

(b) the Secretary publishes a written finding that the water conservation plan developed under section 7 includes prudent and reasonable water conservation measures for the operation of the Dry Prairie Rural Water System that have been shown to be economically and financially feasible.

SEC. 6. USE OF PICK-SLOAN POWER.

(a) PLANNING AND CONSTRUCTION FUNDS.—The Secretary shall not obligate funds for construction of the Dry Prairie Rural Water System until—

(1) the requirements of the National Envi- ronmental Policy Act of 1969 (2 U.S.C. 4321 et seq.) are met with respect to the Dry Prairie Rural Water System.

(b) the Secretary publishes a written finding that the water conservation plan developed under section 7 includes prudent and reasonable water conservation measures for the operation of the Dry Prairie Rural Water System.

(c) TITLE TO DRY PRAIRIE RURAL WATER ASSOCIATION, INC.—The Dry Prairie Rural Water Association, Incorporated, shall be the owner of the Dry Prairie Rural Water System.

SEC. 7. WATER CONSERVATION PLAN.

(a) IN GENERAL.—The operation, maintenance, and replacement expenses associated with water deliveries from the Assiniboine and Sioux Rural Water System to the Dry Prairie Rural Water System shall not be a Federal responsibility and shall be borne by the Dry Prairie Rural Water System.

(b) LIMITATION ON USE OF FEDERAL FUNDS.--

(1) IN GENERAL.—The operation, maintenance, and replacement expenses associated with water deliveries from the Assiniboine and Sioux Rural Water System to the Dry Prairie Rural Water System shall not be a Federal responsibility and shall be borne by the Dry Prairie Rural Water System.

(c) TITLE TO DRY PRAIRIE RURAL WATER SYSTEM.—Title to the Dry Prairie Rural Water System shall be held by Dry Prairie Rural Water Association, Incorporated.
(a) IN GENERAL.—The conveyance of land under subsection (a) shall have no effect on the conditions and rights provided in Federal Energy Regulatory Commission Withdrawal No. 7161. (b) COSTS OF CONVEYANCE.—Except as provided in subsection (c), costs associated with the conveyance under subsection (a) shall be determined by a survey satisfactory to the Secretary and paid for by the County.

(4) EFFECT ON FERC WITHDRAWAL.—(1) IN GENERAL.—The conveyance of land under subsection (a) shall not have any effect on the conditions and rights provided in Federal Energy Regulatory Commission Withdrawal No. 7161.

(2) ADDITIONAL TERMS AND CONDITIONS.—(a) In the withdrawal described in subsection (a), the Secretary considers appropriate to protect the interests of the United States.

(b) USE OF LAND.—In the case of the conveyance under subsection (a), the County may manage and exercise any program or policy that the Secretary considers appropriate in the use of the land, including any program or policy that the Secretary considers appropriate to protect the interests of the United States. The committee amendments were agreed to. The bill (S. 977), as amended, was passed, as follows:

SEC. 1. SHORT TITLE. This Act may be cited as the “Miwaleta Park Expansion Act”.

SEC. 2. LAND CONVEYANCE, BUREAU OF LAND MANAGEMENT LAND, DOUGLAS COUNTY, OREGON.

(a) IN GENERAL.—(1) CONVEYANCE.—The Secretary of the Interior (referred to in this section as the “Secretary”) shall convey, without consideration, to Douglas County, Oregon (referred to in this section as the “County”), all right, title, and interest of the United States in and to a parcel of land (including improvements on the land) described in paragraph (2) and consisting of—

(A) Miwaleta Park, a county park managed under agreement by the County on Federal land managed by the Bureau of Land Management; and

(B) an adjacent tract of Federal land managed by the Bureau of Land Management.

(2) LEGAL DESCRIPTION.—The parcel of land referred to in paragraph (1) is the parcel in Section 27, Township 32, Range 27, T. 32 S., R. 27 E., Douglas County, Oregon, described as follows:

The property lying between the southerly right-of-way line of the relocated Cow Creek Road and contour elevation 1881.5 MSL, comprising approximately 28.50 acres.

(b) MIWALETA PARK EXPANSION ACT

The Senate proceeded to consider the bill (S. 977) to provide for the conveyance by the Bureau of Land Management to Douglas County, Oregon, of a portion of the land in a park in the State of Oregon, which had been reported from the Committee on Energy and Natural Resources, with amendments; as follows:

(1) In the case of a conflict between the use of the conveyed land as a park and the purposes of the withdrawal, the purpose of the withdrawal shall prevail.

(2) Costs of Conveyance.—Except as provided in subsection (c), costs associated with the conveyance under subsection (a) shall be borne by the party incurring the costs.

(3) ADDITIONAL TERMS AND CONDITIONS.—The conveyance described in subsection (a) shall be subject to such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

NATIONAL FOREST AND PUBLIC LANDS OF NEVADA ENHANCEMENT ACT OF 1988

The bill (S. 439) to amend the National Forest and Public Lands of Nevada Enhancement Act of 1988 to ad-