

(C) any interstate water compact in existence on the date of enactment of this Act; or

(D) subject to the provisions of paragraph (2), state jurisdiction over any water law.

(2) **WATER RIGHTS FOR NATIONAL PARK AND NATIONAL PRESERVE.**—In carrying out this Act, the Secretary shall obtain and exercise any water rights required to fulfill the purposes of the national park and the national preserve in accordance with the following provisions:

(A) Such water rights shall be appropriated, adjudicated, changed, and administered pursuant to the procedural requirements and priority system of the laws of the State of Colorado.

(B) The purposes and other substantive characteristics of such water rights shall be established pursuant to State law, except that the Secretary is specifically authorized to appropriate water under this Act exclusively for the purpose of maintaining ground water levels, surface water levels, and stream flows on, across, and under the national park and national preserve, in order to accomplish the purposes of the national park and the national preserve and to protect park resources and park uses.

(C) Such water rights shall be established and used without interfering with—

(i) any exercise of a water right in existence on the date of enactment of this Act for a non-Federal purpose in the San Luis Valley, Colorado; and

(ii) the Closed Basin Division, San Luis Valley Project.

(D) Except as provided in subsections (c) and (d) below, no Federal reservation of water may be claimed or established for the national park or the national preserve

(c) **NATIONAL FOREST WATER RIGHTS.**—To the extent that a water right is established or acquired by the United States for the Rio Grande National Forest, the water right shall—

(1) be considered to be of equal use and value for the national preserve; and

(2) retain its priority and purpose when included in the national preserve.

(d) **NATIONAL MONUMENT WATER RIGHTS.**—To the extent that a water right has been established or acquired by the United States for the Great Sand Dunes National Monument, the water right shall—

(1) be considered to be of equal use and value for the national park; and

(2) retain its priority and purpose when included in the national park.

(e) **ACQUIRED WATER RIGHTS AND WATER RESOURCES.**—

(1) **IN GENERAL.**—(A) If, and to the extent that, the Luis Maria Baca Grant No. 4 is acquired, all water rights and water resources associated with the Luis Maria Baca Grant No. 4 shall be restricted for use only within—

(i) the national park;

(ii) the preserve;

(iii) the national wildlife refuge; or

(iv) the immediately surrounding areas of Alamosa or Saguache Counties, Colorado.

(B) **USE.**—Except as provided in the memorandum of water service agreement and the water service agreement between the Cabeza de Vaca Land and Cattle Company, LC, and Baca Grande Water and Sanitation District, dated August 28, 1997, water rights and water resources described in subparagraph (A) shall be restricted for use in—

(i) the protection of resources and values for the national monument, the national park, the preserve, or the wildlife refuge;

(ii) fish and wildlife management and protection; or

(iii) irrigation necessary to protect water resources.

(2) **STATE AUTHORITY.**—If, and to the extent that, water rights associated with the Luis

Maria Baca Grant No. 4 are acquired, the use of those water rights shall be changed only in accordance with the laws of the State of Colorado.

(f) **DISPOSAL.**—The Secretary is authorized to sell the water resources and related appurtenances and fixtures as the Secretary deems necessary to obtain the termination of obligations specified in the memorandum of water service agreement and the water service agreement between the Cabeza de Vaca Land and Cattle Company, LLC and the Baca Grande Water and Sanitation District, dated August 28, 1997. Prior to the sale, the Secretary shall determine that the sale is not detrimental to the protection of the resources of Great Sand Dunes National Monument, Great Sand Dunes National Park, and Great Sand Dunes National Preserve, and the Baca National Wildlife Refuge, and that appropriate measures to provide for such protection are included in the sale.

#### SEC. 10. ADVISORY COUNCIL.

(a) **ESTABLISHMENT.**—The Secretary shall establish an advisory council to be known as the "Great Sand Dunes National Park Advisory Council".

(b) **DUTIES.**—The Advisory Council shall advise the Secretary with respect to the preparation and implementation of a management plan for the national park and the preserve.

(c) **MEMBERS.**—The Advisory Council shall consist of 10 members to be appointed by the Secretary, as follows:

(1) one member of, or nominated by, the Alamosa County Commission.

(2) one member of, or nominated by, the Saguache County Commission.

(3) one member of, or nominated by, the Friends of the Dunes Organization.

(4) 4 members residing in, or within reasonable proximity to, the San Luis Valley and 3 of the general public, all of who have recognized backgrounds reflecting—

(A) the purposes for which the national park and the preserve are established; and

(B) the interests of persons that will be affected by the planning and management of the national park and the preserve.

(d) **APPLICABLE LAW.**—The Advisory Council shall function in accordance with the Federal Advisory Committee Act (5 U.S.C. App.) and other applicable laws.

(e) **VACANCY.**—A vacancy on the Advisory Council shall be filled in the same manner as the original appointment.

(f) **CHAIRPERSON.**—The Advisory Council shall elect a chairperson and shall establish such rules and procedures as it deems necessary or desirable.

(g) **NO COMPENSATION.**—Members of the Advisory Council shall serve without compensation.

(h) **TERMINATION.**—The Advisory Council shall terminate upon the completion of the management plan for the national park and preserve.

#### SEC. 11. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.

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

The bill (S. 2547), as amended, was read the third time and passed.

The title was amended so as to read: "A bill to provide for the establishment of the Great Sand Dunes National Park and Preserve and the Baca National Wildlife Refuge in the State of Colorado, and for other purposes."

#### HERMANN MONUMENT AND HERMANN HEIGHTS PARK IN NEW ULM, MINNESOTA

The Senate proceeded to consider the resolution (H. Con. Res. 89) recognizing

the Hermann Monument and Hermann Heights Park in New Ulm, Minnesota, as a national symbol of the contributions of Americans of German heritage.

The resolution (H. Con. Res. 89) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### H. CON. RES. 89

Whereas there are currently more than 57,900,000 individuals of German heritage residing in the United States, who comprise nearly 25 percent of the population of the United States and are therefore the largest ethnic group in the United States;

Whereas those of German heritage are not merely descendants of one political entity, but of all German speaking areas;

Whereas numerous Americans of German heritage have made countless contributions to American culture, arts, and industry, the American military, and American government;

Whereas there is no recognized tangible, national symbol dedicated to German Americans and their positive contributions to the United States;

Whereas the story of Hermann the Cheruscan parallels that of the American Founding Fathers, because he was a freedom fighter who united ancient German tribes in order to shed the yoke of Roman tyranny and preserve freedom for the territory of present-day Germany;

Whereas the Hermann Monument located in Hermann Heights Park in New Ulm, Minnesota, was dedicated in 1897 in honor of the spirit of freedom and later dedicated to all German immigrants who settled in New Ulm and elsewhere in the United States; and

Whereas the Hermann Monument has been recognized as a site of special historical significance by the United States Government, by placement on the National Register of Historic Places: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring), That the Hermann Monument and Hermann Heights Park in New Ulm, Minnesota, are recognized by the Congress to be a national symbol for the contributions of Americans of German heritage.*

#### NATIONAL LABORATORIES PARTNERSHIP IMPROVEMENT ACT OF 1999

The Senate proceeded to consider the bill (S. 1756) to enhance the ability of the National Laboratories to meet Department of Energy missions, and for other purposes, which had been reported by the Committee on Energy and Natural Resources with an amendment to strike out all after the enacting clause and insert the part printed in italic.

#### SECTION 1. SHORT TITLE.

*This Act may be cited as the "National Laboratories Partnership Improvement Act of 2000".*

#### SEC. 2. DEFINITIONS.

*For purposes of this Act—*

(1) the term "Department" means the Department of Energy;

(2) the term "departmental mission" means any of the functions vested in the Secretary of Energy by the Department of Energy Organization Act (42 U.S.C. 7101 et seq.) or other law;

(3) the term "institution of higher education" has the meaning given such term in section