

without the consent of the Secretary, attempts to transfer title to or control over the parcel to another person or entity or to devote the parcel to a use other than that for which the parcel was conveyed, title to the parcel shall revert to the United States.

(k) **PRIOR CONVEYANCES.**—On application by the State or a political subdivision of the State in which the parcel is located, the Secretary may authorize a transfer of title or a change in use in accordance with subsection (j) with respect to any parcel conveyed under this section or any other law.

(1) **SOLID WASTE DISPOSAL SITES.**—

(1) **CONVEYANCE FOR THE PURPOSES OF SOLID WASTE DISPOSAL.**—If the Secretary receives an application for conveyance of a parcel under this section for the purpose of solid waste disposal or for another purpose that the Secretary finds may include the disposal, placement, or release of any hazardous substance, the Secretary may convey the parcel subject only to this subsection.

(2) **INVESTIGATION.**—

(A) **IN GENERAL.**—Before any conveyance of a parcel under this subsection, the Secretary shall investigate the parcel to determine whether any hazardous substance is present on the parcel.

(B) **ELEMENTS OF AN INVESTIGATION.**—An investigation under subparagraph (A) shall include—

(i) a review of any available records of the use of the parcel; and

(ii) all appropriate analyses of the soil, water and air associated with the parcel.

(C) **PRESENCE OF A HAZARDOUS SUBSTANCE.**—A parcel shall not be conveyed under this subsection if the investigation indicates that any hazardous substance is present on the parcel.

(3) **SUBMISSION TO OTHER STATE AND FEDERAL AGENCIES.**—No application for conveyance under this subsection shall be acted on by the Secretary until the applicant has furnished evidence, satisfactory to the Secretary, that a copy of the application and information concerning the proposed use of the parcel covered by the application has been provided to the Environmental Protection Agency and to all other State and Federal agencies with responsibility for enforcement of Federal and State laws applicable to land used for the disposal, placement, or release of solid waste or any hazardous substance.

(4) **WARRANTY.**—No application for conveyance under this subsection shall be acted on by the Secretary until the applicant gives a warranty that—

(A) use of the parcel covered by the application will be consistent with all applicable Federal and State laws, including laws dealing with the disposal, placement, or release of hazardous substances; and

(B) the applicant will hold the United States harmless from any liability that may arise out of any violation of any such law.

(5) **REQUIREMENTS.**—A conveyance under this subsection shall be made to the extent that the applicant demonstrates to the Secretary that the parcel covered by an application meets all applicable State and local requirements and is appropriate in character and reasonable in acreage in order to meet an existing or reasonably anticipated need for solid waste disposal or for another proposed use that the Secretary finds may include the disposal, placement, or release of any hazardous substance.

(6) **CONDITIONS.**—

(A) **IN GENERAL.**—A conveyance of a parcel under this subsection shall be subject to the conditions stated in this paragraph.

(B) **REVERTER.**—

(i) **IN GENERAL.**—The instrument of conveyance shall provide that the parcel shall revert to the United States unless substantially all of the parcel has been used, on or before the date that

is 5 years after the date of conveyance, for the purpose specified in the application, or for other use or uses authorized under subsection (b) with the consent of the Secretary.

(ii) **LIMITATION.**—No portion of a parcel that has been used for solid waste disposal or for any other purpose that the Secretary finds may result in the disposal, placement, or lease of a hazardous substance shall revert to the United States.

(C) **PAYMENT TO THE SECRETARY ON FURTHER CONVEYANCE.**—If at any time after conveyance any portion of a parcel has not been used for the purpose specified in the application, and the entity to which the parcel was conveyed by the Secretary transfers ownership of the unused portion to any other person or entity, transferee shall be liable to pay the Secretary the fair market value of the transferred portion as of the date of the transfer, including the value of any improvements thereon.

(D) **USE OF PAYMENTS.**—Subject to the availability of appropriations, all amounts received by the Secretary under subparagraph (C) shall be retained by the Secretary, shall be available to the Secretary for use for the management of National Forest System land, and shall remain available until expended.

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

The bill (H.R. 150), as amended, was passed.

#### NATIONAL HISTORIC PRESERVATION ACT AMENDMENTS

The Senate proceeded to consider the bill (H.R. 834) to extend the authorization for the National Historic Preservation Fund, 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 thereof the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "National Historic Preservation Act Amendments of 1999".

**SEC. 2. REAUTHORIZATION OF HISTORIC PRESERVATION FUND.**

Section 108 of the National Historic Preservation Act (16 U.S.C. 470h) is amended by striking "1997" and inserting "2005".

**SEC. 3. REAUTHORIZATION OF ADVISORY COUNCIL ON HISTORIC PRESERVATION.**

Section 212(a) of the National Historic Preservation Act (16 U.S.C. 470t(a)) is amended by striking "2000" and inserting "2005".

**SEC. 4. LOCATION OF FEDERAL FACILITIES ON HISTORIC PROPERTIES.**

Section 110(a)(1) of the National Historic Preservation Act (16 U.S.C. 470h-2(a)(1)) is amended in the second sentence by striking "agency." and inserting "agency, in accordance with Executive Order 13006, issued May 21, 1996 (61 F.R. 26071).".

**SEC. 5. TECHNICAL AND CONFORMING AMENDMENTS.**

(a) The National Historic Preservation Act (16 U.S.C. 470 et seq.) is amended as follows—

(1) in section 101(d)(2)(D)(ii) (16 U.S.C. 470a(d)(2)(D)(ii)) by striking "Officer;" and inserting "Officer; and";

(2) by amending section 101(e)(2) (16 U.S.C. 470a(e)(2)) to read as follows:

"(2) The Secretary may administer grants to the National Trust for Historic Preservation in the United States, chartered by an Act of Congress approved October 26, 1949 (63 Stat. 947) consistent with the purposes of its charter and this Act.";

(3) in section 101(e)(3)(A)(iii) (16 U.S.C. 470a(e)(3)(A)(iii)) by striking "preservation; and" and inserting "preservation, and";

(4) in section 101(j)(2)(C) (16 U.S.C. 470a(j)(2)(C)) by striking "programs;" and inserting "programs; and";

(5) in section 102(a)(3) (16 U.S.C. 470b(a)(3)) by striking "year." and inserting "year.";

(6) in section 103(a) (16 U.S.C. 470c(a))—

(A) by striking "purposes this Act" and inserting "purposes of this Act"; and

(B) by striking "him." and inserting "him.";

(7) in section 108 (16 U.S.C. 470h) by striking "(43 U.S.C. 338)" and inserting "(43 U.S.C. 1338)";

(8) in section 110(1) (16 U.S.C. 470h-2(1)) by striking "with the Council" and inserting "pursuant to regulations issued by the Council";

(9) in section 112(b)(3) (16 U.S.C. 470h-4(b)(3)) by striking "(25 U.S.C. 3001(3) and (9))" and inserting "(25 U.S.C. 3001(3) and (9))";

(10) in section 301(12)(C)(iii) (16 U.S.C. 470w(12)(C)(iii)) by striking "Officer, and" and inserting "Officer; and";

(11) in section 307(a) (16 U.S.C. 470w-6(a)) by striking "Except as provided in subsection (b) of this section, no" and inserting "No";

(12) in section 307(c) (16 U.S.C. 470w-6(c)) by striking "Except as provided in subsection (b) of this section, the" and inserting "The";

(13) in section 307 (16 U.S.C. 470w-6) by redesignating subsections (c) through (f), as amended, as subsections (b) through (e), respectively; and

(14) in subsection 404(c)(2) (16 U.S.C. 470x-3(c)(2)) by striking "organizations, and" and inserting "organizations; and".

(b) Section 114 of Public Law 96-199 (94 Stat. 71) is amended by striking "subsection 6(c)" and inserting "subsection 206(c)".

Amend the title so as to read: "A bill to extend the authorization for the Historic Preservation Fund and the Advisory Council on Historic Preservation, and for other purposes."

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

The bill (H.R. 834), as amended, was passed.

#### CONVEYANCE OF NATIONAL FOREST LAND TO ELKO COUNTY, NEVADA

The bill (H.R. 1231) to direct the Secretary of Agriculture to convey certain National Forest lands to Elko County, Nevada, for continued use as a cemetery, was considered, ordered to a third reading, read the third time, and passed.

H.R. 1231

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

#### SECTION 1. CONVEYANCE OF NATIONAL FOREST LANDS TO ELKO COUNTY, NEVADA, FOR USE AS CEMETERY.

(a) **REQUIREMENT TO CONVEY.**—The Secretary of Agriculture shall convey, without consideration, to Elko County, Nevada, all right, title, and interest of the United States in and to the real property described in subsection (b).

(b) **DESCRIPTION OF PROPERTY.**—

(1) **IN GENERAL.**—The property referred to in subsection (a) consists of: (A) a parcel of National Forest lands (including any improvements thereon) in Elko County, Nevada, known as Jarbidge Cemetery, consisting of approximately 2 acres within the