

□ 1030

The SPEAKER pro tempore (Mr. GUTKNECHT). The objections of the President will be spread at large upon the Journal and, without objection, the message and bill will be printed as a House document.

There was no objection.

Mr. BLUNT. Mr. Speaker, I ask unanimous consent that the message of the President, together with the accompanying bill, H.R. 2709, be referred to the Committee on International Relations.

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

There was no objection.

UTAH SCHOOLS AND LANDS EXCHANGE ACT OF 1998

Mr. HANSEN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 3830) to provide for the exchange of certain lands within the State of Utah, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

Mr. FALEOMAVAEGA. Mr. Speaker, reserving the right to object, I yield to the gentleman from Utah (Mr. HANSEN) for an explanation of this legislation.

Mr. HANSEN. Mr. Speaker, I appreciate the gentleman from American Samoa yielding to me. Mr. Speaker, H.R. 3830 represents a landmark agreement between the State of Utah and the Department of the Interior to exchange nearly 500,000 acres of lands within the State of Utah to benefit the school children of Utah.

Over 20 years ago, while serving in the Utah State Legislature and as Speaker of the House, I worked closely with then Governor Scott Matheson to solve the problem of the disbursed school trust lands in Utah and the best way to live up to the mandate of generating revenues for the school children of Utah.

Governor Matheson came up with Project Bold, wherein we would block up school trust lands in exchanges with the Federal Government. This seemed like a somewhat radical idea at the time but Governor Matheson actually had foresight that brought us here today.

Finally, during the 103rd Congress we were able to pass Public Law 103-93 that was designed to exchange these lands out of parks and national forests. However, difficulties with placing a value on these isolated tracts became impossible.

Then in September of 1996 President Clinton signed the proclamation that locked up the largest and cleanest supply of coal left in the Nation when he created the new Grand Staircase-Escalante National Monument. Unfortunately, a large share of this coal, not

to mention the oil and gas in the monument, belongs to the school children of Utah. Thus, the pressure was on the administration to live up to the promises made by the President to ensure the school children would not suffer from the creation of the monument.

Therefore, on May 8, Secretary Babbitt and Governor Leavitt signed an agreement to trade out all of the school trust lands within national parks, forest service, and the monument for BLM acres elsewhere in the State, substantial coal interests, and \$50 million. This is an equal value exchange. It is fair and equitable to all parties involved. I commend the Governor and the Secretary for finding a way to put all of the difficult issues of Utah aside and finally find a solution to help the school children of Utah.

I would like to thank my colleague, the gentleman from American Samoa (Mr. FALEOMAVAEGA) for his help in expediting this legislation to this day, and I appreciate his understanding of this important issue.

Mr. FALEOMAVAEGA. Mr. Speaker, further reserving the right to object, Utah Governor Leavitt and Interior Secretary Babbitt signed a historic and unique agreement on May 8 of this year to provide for an exchange of lands between the State of Utah and the Federal government.

H.R. 3830 legislatively ratifies that agreement, under which the United States would acquire approximately 410,718 acres of land and minerals owned by the State of Utah that are inholdings within the Grand Staircase-Escalante National Monument, units of the national park and national forest systems and two Indian reservations, and in return would transfer to the State approximately 138,647 acres of public land and minerals and \$50 million.

The lands involved in the exchange have been a major source of contention for both the State of Utah and the Federal Government. We have spent many hours in the Committee on Resources dealing with issues associated with the lands covered by the agreement. This agreement puts the land exchange issue to rest in what I believe is a fair and equitable manner, and I am all for it.

I want to commend Governor Leavitt and Secretary Babbitt for their leadership. For far too long this issue has frustrated efficient land management, sapped people's energies, and prevented benefits from accruing to the Utah School Trust and the Nation.

These two gentlemen, with the support of many others, recognized that the current situation was doing nothing for the people or the resources. Paraphrasing the former Governor of Utah, Governor Matheson, they have taken a "bold" step in resolving this long-festering issue.

Mr. Speaker, I support H.R. 3830 and hope that my colleagues will also support this legislation.

Mr. HINCHEY. Mr. Speaker, I am very pleased to see the House taking up this legis-

lation today authorizing an exchange agreement between the Interior Department and the State of Utah. The agreement would resolve a number of longstanding problems arising from the enclosure of Utah school trust lands in Federal reservations. I believe that a settlement of these issues will be good news for the people of Utah and the people of all our states.

The agreement may appear to be a local matter, but in fact it concerns all of use, and is important to all of us. The lands and money that Utah's School Trust will receive under the agreement are the property of all Americans, and the land Utah proposes to exchange will become the property of all Americans. And we will be proud to accept them. As a non-Utahn, I want to join my friends and colleagues from Utah in urging that Congress move as quickly as possible on this matter.

Historically, it has been difficult to arrange exchanges in the State of Utah, leaving gaps and inholdings in some of our spectacular national parks there, and most recently, in the new Grand Staircase-Escalante National Monument. Some people thought it would be impossible to work out this exchange, because of the deep differences among the different interested parties. But it has been accomplished. It shows that negotiations can work, and it shows that both sides can come away satisfied.

It takes a real commitment on both sides for negotiations to work. Above all it takes a willingness to face the realities of the situation and to give up dreams of an ideal solution. In this case, many people deserve credit for what has been accomplished. I want to compliment Secretary Babbitt and Governor Leavitt for their commitment to making this process work, and the staffs at the Department of Interior and the Utah School and Institutional Trust Lands Administration for their hard work on the practical details. Here in the House, our colleague CHRIS CANNON deserves special commendation for his dedicated efforts to get this process going. I was happy to work cooperatively with him on this. We have many differences among us on the best disposition of federal lands in Utah, but we have no difference on the question of the importance of settling these exchanges.

Resolution of these exchanges will produce two great benefits for the public. First, SITLA will receive money and lands with real income-producing potential that can increase funding for Utah's schools. I believe that the children almost always benefit when more funding is available for education so I'm delighted with that result. Most importantly, if this bill is enacted, they will start seeing the benefits very quickly. Second, the people of the United States will receive the trust lands now enclosed within the Grand Staircase-Escalante National Monument. This will give the Interior Department the opportunity to manage this magnificent territory in accord with its nature, and not according to arbitrary lines on the map. The possibility that inappropriate development will mar the wild beauty of the Monument or interfere with its wildlife will, I hope, be eliminated with this exchange.

Again, my thanks and congratulations to all who worked on this agreement. I urge my colleagues to support this bill, and hope it will be enacted as soon as possible.

Mr. FALEOMAVAEGA. 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 bill, as follows:

H.R. 3830

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 "Utah Schools and Lands Exchange Act of 1998".

SEC. 2. FINDINGS.

The Congress finds the following:

(1) The State of Utah owns approximately 176,600 acres of land, as well as approximately 24,165 acres of mineral interests, administered by the Utah School and Institutional Trust Lands Administration, within the exterior boundaries of the Grand Staircase-Escalante National Monument, established by Presidential proclamation on September 18, 1996, pursuant to section 2 of the Antiquities Act of 1906 (16 U.S.C. 431). The State of Utah also owns approximately 200,000 acres of land, and 76,000 acres of mineral interests, administered by the Utah School and Institutional Trust Lands Administration, within the exterior boundaries of several units of the National Park System and the National Forest System, and within certain Indian reservations in Utah. These lands were granted by Congress to the State of Utah pursuant to the Utah Enabling Act, chap. 138, 28 Stat. 107 (1894), to be held in trust for the benefit of the State's public school system and other public institutions.

(2) Many of the State school trust lands within the monument may contain significant economic quantities of mineral resources, including coal, oil, and gas, tar sands, coalbed methane, titanium, uranium, and other energy and metalliferous minerals. Certain State school trust lands within the Monument, like the Federal lands comprising the Monument, have substantial non-economic scientific, historic, cultural, scenic, recreational, and natural resources, including ancient Native American archeological sites and rare plant and animal communities.

(3) Development of surface and mineral resources on State school trust lands within the monument could be incompatible with the preservation of these scientific and historic resources for which the monument was established. Federal acquisition of State school trust lands within the monument would eliminate this potential incompatibility, and would enhance management of the Grand Staircase-Escalante National Monument.

(4) The United States owns lands and interest in lands outside of the monument that can be transferred to the State of Utah in exchange for the monument inholdings without jeopardizing Federal management objectives or needs.

(5) In 1993, Congress passed and the President signed Public Law 103-93, which contained a process for exchanging State of Utah school trust inholdings in the National Park System, the National Forest System, and certain Indian reservations in Utah. Among other things, it identified various Federal lands and interests in land that were available to exchange for these State inholdings.

(6) Although Public Law 103-93 offered the hope of a prompt, orderly exchange of State inholdings for Federal lands elsewhere, implementation of the legislation has been very slow. Completion of this process is realistically estimated to be many years away, at great expense to both the State and the United States in the form of expert wit-

nesses, lawyers, appraisers, and other litigation costs.

(7) The State also owns approximately 2,560 acres of land in or near the Alton coal field which has been declared an area unsuitable for coal mining under the terms of the Surface Mining Control and Reclamation Act. This land is also administered by the Utah School and Institutional Trust Lands Administration, but its use is limited given this declaration.

(8) The large presence of State school trust land inholdings in the monument, national parks, national forests, and Indian reservations make land and resource management in these areas difficult, costly, and controversial for both the State of Utah and the United States.

(9) It is in the public interest to reach agreement on exchange of inholdings, on terms fair to both the State and the United States. Agreement saves much time and delay in meeting the expectations of the State school and institutional trusts, in simplifying management of Federal and Indian lands and resources, and in avoiding expensive, protracted litigation under Public Law 103-93.

(10) The State of Utah and the United States have reached an agreement under which the State would exchange of all its State school trust lands within the monument, and specified inholdings in national parks, forests, and Indian reservations that are subject to Public Law 103-93, for various Federal lands and interests in lands located outside the monument, including Federal lands and interests identified as available for exchange in Public Law 103-93 and additional Federal lands and interests in lands.

(11) The State school trust lands to be conveyed to the Federal Government include properties within units of the National Park System, the National Forest System, and the Grand Staircase-Escalante National Monument. The Federal assets made available for exchange with the State were selected with a great sensitivity to environmental concerns and a belief and expectation by both parties that Federal assets to be conveyed to the State would be unlikely to trigger significant environmental controversy.

(12) The parties agreed at the outset of negotiations to avoid identifying Federal assets for conveyance to the State where any of the following was known to exist or likely to be an issue as a result of foreseeable future uses of the land: significant wildlife resources, endangered species habitat, significant archaeological resources, areas of critical environmental concern, coal resources requiring surface mining to extract the mineral deposits, wilderness study areas, significant recreational areas, or any other lands known to raise significant environmental concerns of any kind.

(13) The parties further agreed that the use of any mineral interests obtained by the State of Utah where the Federal Government retains surface and other interest, will not conflict with established Federal land and environmental management objectives, and shall be fully subject to all environmental regulations applicable to development of non-Federal mineral interest on Federal lands.

(14) Because the inholdings to be acquired by the Federal Government include properties within the boundaries of some of the most renowned conservation land units in the United States, and because a mission of the Utah School and Institutional Trust Lands Administration is to produce economic benefits for Utah's public schools and other beneficiary institutions, the exchange of lands called for in this agreement will resolve many longstanding environmental con-

flicts and further the interest of the State trust lands, the school children of Utah, and these conservation resources.

(15) The Congress finds that, under this Agreement taken as a whole, the State interests to be conveyed to the United States by the State of Utah, and the Federal interests and payments to be conveyed to the State of Utah by the United States, are approximately equal in value.

(16) The purpose of this legislation is to enact into law and direct prompt implementation of this historic agreement.

SEC. 3. RATIFICATION OF AGREED EXCHANGE BETWEEN THE STATE OF UTAH AND THE DEPARTMENT OF THE INTERIOR.

(a) AGREEMENT.—The State of Utah and the Department of the Interior have agreed to exchange certain Federal lands, Federal mineral interests, and payment of money for lands and mineral interests managed by the Utah School and Institutional Trust Lands Administration, lands and mineral interests of approximately equal value inheld within the Grand Staircase-Escalante National Monument the Goshute and Navajo Indian Reservations, units of the national park system, the national forest system, and the Alton coal fields.

(b) RATIFICATION.—All terms, conditions, procedures, covenants, reservations, and other provisions set forth in the document entitled "Agreement to Exchange Utah School Trust Lands Between the State of Utah and the United States of America" (herein referred to as "the Agreement") are hereby incorporated in this title, are ratified and confirmed, and set forth the obligations and commitments of the United States, the State of Utah, and Utah School and Institutional Trust Lands Administration (herein referred to as "SITLA"), as a matter of Federal law.

SEC. 4. LEGAL DESCRIPTIONS.

(a) IN GENERAL.—The maps and legal descriptions referred to in the Agreement depict the lands subject to the conveyances.

(b) PUBLIC AVAILABILITY.—The maps and descriptions referred to in the Agreement shall be on file and available for public inspection in the offices of the Secretary of the Interior and the Utah State Director of the Bureau of Land Management.

(c) CONFLICT.—In case of conflict between the maps and the legal descriptions, the legal descriptions shall control.

SEC. 5. COSTS.

The United States and the State of Utah shall each bear its own respective costs incurred in the implementation of this Act.

SEC. 6. REPEAL OF PUBLIC LAW 103-93 AND PUBLIC LAW 104-211.

The provisions of Public Law 103-93 (107 Stat. 995), other than section 7(b)(1), section 7(b)(3) and section 10(b) thereof, are hereby repealed. Public Law 104-211 (110 Stat. 3013) is hereby repealed.

SEC. 7. CASH PAYMENT PREVIOUSLY AUTHORIZED.

As previously authorized and made available by section 7(b)(1) and (b)(3) of Public Law 103-93, upon completion of all conveyances described in the Agreement, the United States shall pay \$50,000,000 to the State of Utah from funds not otherwise appropriated from the Treasury.

SEC. 8. SCHEDULE FOR CONVEYANCES.

All conveyances under sections 2 and 3 of the agreement shall be completed within 70 days after the enactment of this Act.

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