

S. 669

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

**SECTION 1. ACQUISITION OF PLAINS RAILROAD DEPOT.**

Section 1(c)(2) of the Act entitled "An Act to establish the Jimmy Carter National Historic Site and Preservation District in the State of Georgia, and for other purposes", approved December 23, 1987 (16 U.S.C. 161 note; 101 Stat. 1435), is amended by striking ", the Plains Railroad Depot (described in subsection (b)(2)(B)).",

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah [Mr. HANSEN] and the gentleman from Georgia [Mr. BISHOP] each will control 20 minutes.

The Chair recognizes the gentleman from Utah [Mr. HANSEN].

Mr. HANSEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of S. 669, which provides for the acquisition of land under the Plains Railroad Depot at the Jimmy Carter National Historic Site in Georgia.

I commend my colleague, the gentleman from Georgia [Mr. BISHOP], for his introduction of H.R. 714, the companion bill of 669, in the House of Representatives.

S. 669 amends Section 1(c)(2), Public Law 100-206, the establishment act for the Jimmy Carter National Historic Site, to remove the restrictions that the Plains Railroad Depot be acquired only by donation for inclusion in the national historic site.

The bill is necessary to clear the title of the railroad right-of-way due to restrictions contained in the 1888 deed from Mr. M.L. Hudson, stipulating that if the railroad ceased operation of the rail line, the land would revert to his heirs. Since the establishment of the historic site in 1987, the National Park Service has spent over 10 years attempting to locate all of the heirs, without success.

This bill allows a friendly condemnation to clear title to the land. Once this action is finalized, the National Park Service will complete the development of this historic depot, which was the headquarters for former President Carter's 1976 Presidential campaign.

The Subcommittee on National Parks and Public Lands held hearings on this legislation, and there was unanimous support. Mr. Speaker, I urge support and passage of this legislation and urge my colleagues to pass S. 669.

Mr. Speaker, I reserve the balance of my time.

Mr. BISHOP. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today to ask that my colleagues support S. 669, which would provide a legal fix needed by the Jimmy Carter National Historic Site in Plains, Georgia.

(Mr. BISHOP asked and was given permission to revise and extend his remarks.)

Mr. BISHOP. This Presidential site is located within my congressional dis-

trict and enjoys bipartisan support. The bill is identical to H.R. 1714, a bill I introduced in the House. I would like to thank the Speaker, the majority leader, minority leader, Committee on Resources, and all of those responsible for helping to bring this bill to the floor today.

Public law 100-206, which created the site at the old Plains Depot, requires that the Seaboard Railroad donated land under it. However, since Congress passed that law, it has been discovered that the CSX Railroad, which is the successor to the old Seaboard Railroad, does not have the legal capacity to donate the land under the depot, nor are there remaining heirs of the original land owners available to make the donation. With that being the case, the plan to work on the site cannot proceed.

Because of the confusion over identification of the heirs, the depot has not been developed to its full potential as an element of the historic site. For example, the small parking lot is muddy during the wet weather and dusty during the dry weather. The depot is currently served by a substandard septic tank because hookup with the town sewer system has not been possible without a clear title. As a result, the depot has been boarded up and unavailable for visitation despite the fact that, in 1990, close to 40,000 schoolchildren from across the country visited the depot.

This measure would amend the law to provide that the land under the depot can be acquired by purchase. This would be effected by the Park Service depositing the appraised value into a court escrow account so that if any heirs ever surfaced, they would receive just compensation.

The National Park Service, in its testimony to both the House and Senate Committees on Resources, testified that it supports this change, and the Congressional Budget Office reports that the budgetary impact of this legal fix is negligible. The Senate has acted favorably on this bill by unanimous consent. So I feel confident that swift action by the full House can help this change become law this year.

I would like to urge my colleagues to support this important bill, because this particular piece of property is a very, very important ingredient to the full development of the Carter Presidential site in Plains, Georgia.

Mr. HANSEN. Mr. Speaker, I reserve the balance of my time.

Mr. BISHOP. Mr. Speaker, I yield 2 minutes to the gentleman from Oregon [Mr. DeFAZIO].

Mr. DeFAZIO. Mr. Speaker, I think the gentleman from Utah [Mr. HANSEN] has meritorious suggestions before the House, and I would urge Members to support it.

But beyond that, at the moment, I would like to go to another issue which I will not be allowed to raise because of restricted rules of the House, and I would have raised it as a point of privi-

lege to the honor and integrity of the House.

It came to my attention and the attention of a number of other Members that directly below this chamber, in H-137, for a number of days that private-interest lobbyists, paid registered lobbyists, have been conducting what is called the war room right here on Capitol grounds using taxpayer-funded phones, lights, facilities, a beautiful room, something not made available to people who are opposing fast track, but only to a group of industries who are supporting the fast track legislation. I believe that this demeans the integrity of the House.

A number of my colleagues intend to put this question to the Speaker. My understanding is that, because of restricted rules of the House, at the moment we cannot raise it as a privilege on the floor. But this is certainly something that the public and other Members should be aware of.

We do not normally make facilities available to private outside interests and or the National Association of Manufacturers, Boeing Company, and other large corporations, at taxpayer expense, to lobby on behalf of legislation right here in the Capitol right beneath us, absolutely prime real estate. I think it is outrageous. And I think that Members should raise this question with the Speaker privately if we are not allowed to do it publicly.

I thank the gentleman from Georgia [Mr. BISHOP] for yielding me the time, and I wish him luck with the bill.

Mr. HANSEN. Mr. Speaker, I yield back the balance of my time.

Mr. BISHOP. Mr. Speaker, I too yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah [Mr. HANSEN] that the House suspend the rules and pass the Senate bill, S. 669.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

**ARCHES NATIONAL PARK  
EXPANSION ACT OF 1997**

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2283) to expand the boundaries of Arches National Park in the State of Utah to include portions of the following drainages, Salt Wash, Lost Spring Canyon, Fish Sheep Draw, Clover Canyon, Cordova Canyon, Mine Draw, and Cottonwood Wash, which are currently under the jurisdiction of the Bureau of Land Management, and to include a portion of Fish Sheep Draw, which is currently owned by the State of Utah, as amended.

The Clerk read as follows:

H.R. 2283

*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 "Arches National Park Expansion Act of 1997".

**SEC. 2. EXPANSION OF ARCHES NATIONAL PARK, UTAH.**

(a) **BOUNDARY EXPANSION.**—Subsection (a) of the first section of Public Law 92-155 (16 U.S.C. 272; 85 Stat. 422) is amended as follows:

(1) By inserting after the first sentence the following new sentence: "Effective on the date of the enactment of the Arches National Park Expansion Act of 1997, the boundary of the park shall also include the area consisting of approximately 3,140 acres and known as the 'Lost Spring Canyon Addition', as depicted on the map entitled 'Boundary Map, Arches National Park, Lost Spring Canyon Addition', numbered 138/60,000-B, and dated April 1997."

(2) In the last sentence, by striking "Such map" and inserting "Such maps".

(b) **INCLUSION OF LAND IN PARK.**—Section 2 of Public Law 92-155 (16 U.S.C. 272a) is amended by adding at the end the following new sentences: "As soon as possible after the date of the enactment of the Arches National Park Expansion Act of 1997, the Secretary of the Interior shall transfer jurisdiction over the Federal lands contained in the Lost Spring Canyon Addition from the Bureau of Land Management to the National Park Service. The lands included in the park pursuant to the Arches National Park Expansion Act of 1997 shall be administered in accordance with the laws and regulations applicable to the park."

(c) **PROTECTION OF EXISTING GRAZING PERMIT.**—Section 3 of Public Law 92-155 (16 U.S.C. 272b) is amended as follows:

(1) By inserting "(a)" before "Where".

(2) By adding at the end the following new subsection:

"(b)(1) In the case of any grazing lease, permit, or license with respect to lands within the Lost Spring Canyon Addition that was issued before the date of the enactment of the Arches National Park Expansion Act of 1997, the Secretary of the Interior shall, subject to periodic renewal, continue such lease, permit, or license for a period of time equal to the lifetime of the permittee as of that date and any direct descendants of the permittee born before that date. Any such grazing lease, permit, or license shall be permanently retired at the end of such period. Pending the expiration of such period, the permittee (or a descendant of the permittee who holds the lease, permit, or license) shall be entitled to periodically renew the lease, permit, or license, subject to such limitations, conditions, or regulations as the Secretary may prescribe.

"(2) Any such grazing lease, permit, or license may be sold during the period specified in paragraph (1) only on the condition that the purchaser shall, immediately upon such acquisition, permanently retire such lease, permit, or license. Nothing in this subsection shall affect other provisions concerning leases, permits, or licenses under the Taylor Grazing Act.

"(3) Any portion of any grazing lease, permit, or license with respect to lands within the Lost Spring Canyon Addition shall be administered by the National Park Service."

(d) **WITHDRAWAL FROM MINERAL ENTRY AND LEASING; PIPELINE MANAGEMENT.**—Section 5 of Public Law 92-155 (16 U.S.C. 272d) is amended by adding at the end the following new subsection:

"(c)(1) Subject to valid existing rights, Federal lands within the Lost Spring Canyon Addition are hereby appropriated and withdrawn from entry, location, selection, leasing, or other disposition under the public land laws, including the mineral leasing laws.

"(2) The inclusion of the Lost Spring Canyon Addition in the park shall not affect the operation or maintenance by the Northwest Pipeline Corporation (or its successors or assigns) of the natural gas pipeline and related facilities located in the Lost Spring Canyon Addition on the date of the enactment of the Arches National Park Expansion Act of 1997."

(e) **EFFECT ON SCHOOL TRUST LANDS.**—

(1) **FINDINGS.**—The Congress finds the following:

(A) A parcel of State school trust lands, more specifically described as section 16, township 23 south, range 22 east, of the Salt Lake base and meridian, is partially contained within the Lost Spring Canyon Addition included within the boundaries of Arches National Park by the amendment by subsection (a).

(B) The parcel was originally granted to the State of Utah for the purpose of generating revenue for the public schools through the development of natural and other resources located on the parcel.

(C) It is in the interest of the State of Utah and the United States for the parcel to be exchanged for Federal lands of equivalent value outside the Lost Spring Canyon Addition, in order to permit Federal management of all lands within the Lost Spring Canyon Addition.

(2) **LAND EXCHANGE.**—Public Law 92-155 is amended by adding at the end the following new section:

**"SEC. 8. LAND EXCHANGE INVOLVING SCHOOL TRUST LANDS.**

"(a) **EXCHANGE REQUIREMENTS.**—If, not later than one year after the date of the enactment of the Arches National Park Expansion Act of 1997, and in accordance with this section, the State of Utah offers to transfer all right, title and interest of the State in and to the parcel of school trust lands described in subsection (b)(1) to the United States, the Secretary of the Interior shall accept the offer on behalf of the United States and, within 180 days after the date of such acceptance, transfer to the State of Utah all right, title and interest of the United States in and to the parcel of land described in subsection (b)(2). Title to the State lands shall be transferred at the same time as conveyance of title to the Federal lands by the Secretary of the Interior. The exchange of lands under this section shall be subject to valid existing rights, and each party shall succeed to the rights and obligations of the other party with respect to any lease, right-of-way, or permit encumbering the exchanged lands.

"(b) **DESCRIPTION OF PARCELS.**—

"(1) **STATE CONVEYANCE.**—The parcel of school trust lands to be conveyed by the State of Utah under subsection (a) is section 16, township 23 south, range 22 east of the Salt Lake base and meridian.

"(2) **FEDERAL CONVEYANCE.**—The parcel of Federal lands to be conveyed by the Secretary of the Interior consists of approximately 639 acres and is identified as lots 1 through 12 located in the S $\frac{1}{2}$ N $\frac{1}{2}$  and the N $\frac{1}{2}$ N $\frac{1}{2}$ N $\frac{1}{2}$ S $\frac{1}{2}$  of section 1, township 25 south, range 18 east, Salt Lake base and meridian.

"(3) **EQUIVALENT VALUE.**—The Federal lands described in paragraph (2) are of equivalent value to the State school trust lands described in paragraph (1).

"(c) **MANAGEMENT BY STATE.**—At least 60 days before undertaking or permitting any surface disturbing activities to occur on the lands acquired by the State under this section, the State shall consult with the Utah State Office of the Bureau of Land Management concerning the extent and impact of such activities on Federal lands and resources and conduct, in a manner consistent with Federal laws, inventory, mitigation,

and management activities in connection with any archaeological, paleontological, and cultural resources located on the acquired lands. To the extent consistent with applicable law governing the use and disposition of State school trust lands, the State shall preserve existing grazing recreational, and wildlife uses of the acquired lands. Nothing in this subsection shall be construed to preclude the State from authorizing or undertaking surface or mineral activities authorized by existing or future land management plans for the acquired lands.

"(d) **IMPLEMENTATION.**—Administrative actions necessary to implement the land exchange described in this section shall be completed within 180 days after the date of the enactment of the Arches National Park Expansion Act of 1997."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah [Mr. HANSEN] will control 20 minutes.

The Chair recognizes the gentleman from Utah [Mr. HANSEN].

Mr. HANSEN. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 2283, the Arches National Park Expansion Act of 1997, which was introduced by my colleague, the gentleman from Utah [Mr. CANNON].

This worthwhile legislation would expand the boundaries of the park by approximately 3,140 acres, consisting primarily of public lands currently managed by the Bureau of Land Management. The expansion, known as the Lost Spring Canyon Addition, would follow canyons and rims and natural forms instead of section lines and other manmade features. This addition to the 73,400-acre Arches National Park adds additional concentrations of stone arches and numerous geologic features such as spires, pinnacles, pedestals, and balanced rocks.

Mr. Speaker, I commend my colleague, the gentleman from Utah [Mr. CANNON], for his work in developing a consensus on H.R. 2283 within the State of Utah, conservation organizations, the Congress, and the administration. I urge my colleagues to support this important legislation.

Mr. Speaker, I yield 5 minutes to the gentleman from Utah [Mr. CANNON], the sponsor of the bill.

Mr. CANNON. Mr. Speaker, I am pleased today to rise as the sponsor of the Arches National Park Expansion Act of 1997. I represent Utah's Third Congressional District, a huge and incredibly scenic district that is nearly the size of Ohio.

One of the true gems of my district is the Arches National Park. Arches is world-renowned as the home of hundreds of spectacular stone arches created by wind and water erosion. This poster depicts one of those arches, Delicate Arch.

When Arches National Park was created, the park boundaries were drawn here in Washington using straight lines. But Mother Nature's creations are not linear. In the northeast corner of the park, the boundary was drawn through the middle of the arch through Lost Springs Canyon, leaving it half in

the park and half outside. Currently, the Bureau of Land Management manages the upper half of this canyon, while the National Park Service manages the lower portion.

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This bill will simply move the park boundary to the far edge of the canyon to include all of Lost Spring Canyon. By doing so, the park boundary will be redrawn where it should have been originally. In doing so, this bill adds approximately 3,140 acres to one of our most spectacular national parks. This is an area of hundred-foot canyon walls, gentle grass valleys and delicate sandstone arches. This common-sense boundary adjustment will bring at least 10 new arches under park protection. It will also have the side benefit of allowing the park to offer a back-country experience, an aspect that is currently missing.

But this addition does not just make sense aesthetically. It also makes sense from a management standpoint. The proposed new boundary will put the National Park Service in charge of an area with clear geographic division, specifically the rim of a canyon. Visitors, park, and BLM employees will know where the park ends and BLM land begins.

Part of the proposed addition also includes a section of school trust land owned by Utah's school children. That section really should be part of Arches. My staff sat down with the Utah School Trust and the Bureau of Land Management to find a section of Federal land that could be traded for the school trust section. A section was identified, and a trade for that section is in the bill. I believe this is one of the key provisions of the measure. In Utah we have had a long history of our school children being forced to bear the burden of Federal land management decisions. In contrast, this bill protects both the land and Utah's school children.

We worked long to ensure that this bill had the input of all the different parties concerned with the park expansion. Comments were taken from elected officials, local citizens, interest groups, Government agencies, and a wide variety of groups who cherish this land. Their opinions were considered carefully during the drafting and re-drafting of this bill. I feel strongly that this bill is a good balance of the competing interests.

I believe that is why 49 of my colleagues, Republicans and Democrats, have joined me on this measure. That is why the Utah School Trust, local officials and I believe a majority of the residents of Grand County favor this proposal. That is why both the Grand Canyon Trust and the National Parks and Conservation Association are on board, and that is why the National Park Service and the administration have indicated support. This is a pro-environment, pro-open process, pro-park vote and, most importantly, it is the right thing to do.

Mr. Speaker, I ask for an affirmative vote.

Mr. HANSEN. Mr. Speaker, I submit for the CONGRESSIONAL RECORD the attached language that clarifies the operation and maintenance of the existing natural gas pipeline in Arches National Park and the proposed Lost Spring Canyon addition to the park.

This language has been agreed to by the majority and minority staffs of the National Parks and Public Lands Subcommittee, the sponsor of the bill, Mr. CANNON, the National Park Service, and the operator of the pipeline.

Section 2(d)(2) provides that the natural gas pipeline currently located within the boundary of Arches National Park, and that is located in the Lost Spring Canyon addition to the park, can continue to be operated and maintained in a manner necessary to achieve compliance with Federal pipeline safety regulations.

This language does not give the operator of the pipeline authority to expand the pipeline's current capacity, replace the pipeline, or construct new facilities. Section 2(d)(2) simply recognizes that the operator is bound by the Federal pipeline safety law and implementing regulations to maintain certain safety standards. The committee believes the operator should not be forced into a position where the operator is in violation of those requirements and where the safe operation of the pipeline is jeopardized.

For example, safety regulations require that pipeline operators maintain certain levels of cathodic protection along pipelines to protect against corrosion. Cathodic protection involves the creation of a small electrical current along the pipe to counter the current that naturally occurs between the pipe and the soil. By neutralizing this natural current, corrosion of the pipe is avoided. The committee understands that the pipeline operator now maintains a cathodic protection facility in the Lost Spring Canyon addition to the park. This language insures that such facility could continue to operate if retaining a facility in this area is necessary to achieve the levels of cathodic protection required by Federal regulation.

The committee understands that the National Park Service periodically renews the permit governing the operation of the pipeline located within the park. This language in no way is intended to interfere with the National Park Service's ability to require operation of the pipeline in a manner that minimizes its impact on the park. Again, the language is intended to ensure that the pipeline operator is not forced to operate the pipeline in a manner that is unsafe and inconsistent with Federal law and regulations governing safety.

Mr. COOK. Mr. Speaker, I rise in support of H.R. 2283, the Arches National Park Expansion Act. This bill simply expands the existing national park by 3,140 acres to include scenic wonders that were left out when the park boundaries were drawn 25 years ago. These sites belong in the park and should have been included the first time around. Let me give you an example: Lost Spring Canyon is a spectacular canyon. Nature has carved at least 10 arches in the walls of this dramatic canyon. Yet, only a small portion of the canyon is part of the Arches National Park. The rest was cut out because park boundaries were drawn along sectional lines. This bill now brings the entire canyon into the park.

This is an inexpensive, practical move that has the broad support of the people in my dis-

trict and my State. I urge the passage of H.R. 2283. Thank you. I yield back the balance of my time.

Mr. HANSEN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. CALLAHAN). The question is on the motion offered by the gentleman from Utah [Mr. HANSEN] that the House suspend the rules and pass the bill, H.R. 2283, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: "A bill to expand the boundaries of Arches National Park in the State of Utah to include portions of the following drainages: Salt Wash, Lost Spring Canyon, Fish Seep Draw, Clover Canyon, Cordova Canyon, Mine Draw, and Cottonwood Wash, which are currently under the jurisdiction of the Bureau of Land Management, and to include a portion of Fish Seep Draw, which is currently owned by the State of Utah."

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. HANSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the two bills just passed.

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

There was no objection.

#### TRIBUTE TO HONORABLE THOMAS M. FOGLIETTA

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute.)

Mr. TRAFICANT. Mr. Speaker, there will be some debate on the floor about the gentleman from Pennsylvania [Mr. FOGLIETTA] who has been named ambassador to Italy. I just wanted to take this time this evening in the event that I am not here on the floor when that tribute is made that I want to really salute our colleague for that tremendous achievement. He started out in Philadelphia as the youngest city councilman ever elected. He worked tirelessly for his constituents. I know that the gentleman in the chair has served with him for years in the Committee on Appropriations. He was always fair. While we wait here for the next legislation, I think it is absolutely proper and fitting to pay tribute. I just wanted to put my little two cents in and thank the gentleman from Pennsylvania for the great job he has done for the country, for his constituents and all the help he has given me and my constituents.