

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mrs. CUBIN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 3113.

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

There was no objection.

CONSOLIDATING CERTAIN MINERAL INTERESTS IN NATIONAL GRASSLANDS IN BILLINGS COUNTY, NORTH DAKOTA

Mrs. CUBIN. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 750) to consolidate certain mineral interests in the National Grasslands in Billings County, North Dakota, through the exchange of Federal and private mineral interests to enhance land management capabilities and environmental and wildlife protection, and for other purposes.

The Clerk read as follows:

S. 750

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

SECTION 1. EXCHANGE OF CERTAIN MINERAL INTERESTS IN BILLINGS COUNTY, NORTH DAKOTA.

(a) PURPOSE.—The purpose of this Act is to direct the consolidation of certain mineral interests in the Little Missouri National Grasslands in Billings County, North Dakota, through the exchange of Federal and private mineral interests in order to enhance land management capability and environmental and wildlife protection.

(b) EXCHANGE.—Notwithstanding any other provision of law—

(1) if, not later than 45 days after the date of enactment of this Act, Burlington Resources Oil & Gas Company (referred to in this Act as “Burlington” and formerly known as Meridian Oil Inc.), conveys title acceptable to the Secretary of Agriculture (referred to in this Act as the “Secretary”) to all oil and gas rights and interests on lands identified on the map entitled “Billings County, North Dakota, Consolidated Mineral Exchange—November 1995”, by quitclaim deed acceptable to the Secretary, the Secretary shall convey to Burlington, subject to valid existing rights, by quitclaim deed, all Federal oil and gas rights and interests on lands identified on that map; and

(2) if Burlington makes the conveyance under paragraph (1) and, not later than 180 days after the date of enactment of this Act, the owners of the remaining non-oil and gas mineral interests on lands identified on that map convey title acceptable to the Secretary to all rights, title, and interests in the interests held by them, by quitclaim deed acceptable to the Secretary, the Secretary shall convey to those owners, subject to valid existing rights, by exchange deed, all remaining Federal non-oil and gas mineral rights, title, and interests in National Forest System lands and National Grasslands identified on that map in the State of North Dakota as are agreed to by the Secretary and the owners of those interests.

(c) LEASEHOLD INTERESTS.—As a condition precedent to the conveyance of interests by

the Secretary to Burlington under this Act, all leasehold and contractual interests in the oil and gas interests to be conveyed by Burlington to the United States under this Act shall be released, to the satisfaction of the Secretary.

(d) EQUAL VALUATION OF OIL AND GAS RIGHTS EXCHANGE.—The values of the interests to be exchanged under subsection (b)(1) shall be deemed to be equal.

(e) APPROXIMATE EQUAL VALUE OF EXCHANGES WITH OTHER INTEREST OWNERS.—The values of the interests to be exchanged under subsection (b)(2) shall be approximately equal, as determined by the Secretary.

(f) LAND USE.—

(1) EXPLORATION AND DEVELOPMENT.—The Secretary shall grant to Burlington, and its successors and assigns, the use of Federally-owned surface lands to explore for and develop interests conveyed to Burlington under this Act, subject to applicable Federal and State laws.

(2) SURFACE OCCUPANCY AND USE.—Rights to surface occupancy and use that Burlington would have absent the exchange under this Act on its oil and gas rights and interests conveyed under this Act shall apply to the same extent on the federally owned surface estate overlying oil and gas rights and interests conveyed to Burlington under this Act.

(g) ENVIRONMENTAL PROTECTION FOR ENVIRONMENTALLY SENSITIVE LANDS.—All activities of Burlington, and its successors and assigns, relating to exploration and development on environmentally sensitive National Forest System lands, as described in the “Memorandum of Understanding Concerning Certain Severed Mineral Estates, Billings County, North Dakota”, executed by the Forest Service and Burlington and dated November 2, 1995, shall be subject to the terms of the memorandum.

(h) MAP.—The map referred to in subsection (b) shall be provided to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives, kept on file in the office of the Chief of the Forest Service, and made available for public inspection in the office of the Forest Supervisor of the Custer National Forest within 45 days after the date of enactment of this Act.

(i) CONTINUATION OF MULTIPLE USE.—Nothing in this Act shall limit, restrict, or otherwise affect the application of the principle of multiple use (including outdoor recreation, range, timber, watershed, and fish and wildlife purposes) in any area of the Little Missouri National Grasslands. Federal grazing permits or privileges in areas designated on the map entitled “Billings County, North Dakota, Consolidated Mineral Exchange—November 1995” or those lands described in the “Memorandum of Understanding Concerning Certain Severed Mineral Estates, Billings County, North Dakota”, shall not be curtailed or otherwise limited as a result of the exchanges directed by this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Wyoming (Mrs. CUBIN) and the gentleman from California (Mr. FARR) each will control 20 minutes.

The Chair recognizes the gentleman from Wyoming (Mrs. CUBIN).

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

(Mrs. CUBIN asked and was given permission to revise and extend her remarks.)

Mrs. CUBIN. Mr. Speaker, I rise in support of Senate 750, an act to consolidate certain mineral interests in the National Grasslands in Billings

County, North Dakota through the exchange of Federal and private mineral interests to enhance land management capabilities and environmental and wildlife protection, and for other purposes.

Mr. Speaker, S. 750, introduced by the senior Senator from North Dakota, Mr. DORGAN, is identical to H.R. 2574, introduced by our House colleague, the gentleman from North Dakota (Mr. POMEROY). Indeed, it is the request of the gentleman from North Dakota (Mr. POMEROY) that the full House take up the Senate bill rather than his own in order to expedite passage of this legislation. The gentleman's bill was referred to the Committee on Resources and then to the Subcommittee on Energy and Mineral Resources, as well as the Subcommittee on Forests.

The legislation directs the Secretary of Agriculture to conclude an equal-value exchange of 9,582 of private oil and gas rights for 8,796 acres of Federal oil and gas rights beneath a national grassland within Billings County, North Dakota, managed by the U.S. Forest Service. The legislation also authorizes the exchange of any other private mineral rights in the same area. S. 750 passed the Senate by unanimous consent.

Mr. Speaker, our colleague from North Dakota has worked diligently to bring together differing interests to make this bill happen. The private mineral owner is the successor in interest to a land grant to the Northern Pacific Railroad. The land surface estate was acquired by the Secretary of Agriculture many decades ago, but the mineral estate was reserved by the railroad.

To have meaning, such reservations obviously must include the right to use the surface estate to the extent necessary to access one's own mineral rights. Such is the case here, but the oil and gas company that has these rights has patiently negotiated with Forest Service and the environmental community to avoid actions which would disturb the roadless character and solitude of the area in question.

Mr. Speaker, now is the time to ratify the exchange contemplated in the moratorium of understanding referenced by the bill. Although it may well be possible to administratively exchange the mineral estates in question, all parties seek the blessing of Congress in order to expedite the deal already struck.

Further delay is unwarranted. Without this exchange, the Boundary Butte area of the National Grassland, which the Forest Service and the environmental community wish to protect from intrusions such as oil and gas development, remains threatened by the exercise of legitimate private property rights.

If we do not act, the long delay to legally access the private mineral estate will be exacerbated further and could possibly lead to a successful takings claim against the United States.