

all or any of the lands withdrawn by this title to the Secretary of the Interior.

(b) NOTICE.—If the Secretary of the military department concerned determines to relinquish any lands withdrawn by this title under subsection (a), that Secretary shall transmit to the Secretary of the Interior a notice of intent to relinquish such lands.

(c) DETERMINATION OF CONTAMINATION.—(1) Before transmitting a notice of intent to relinquish any lands under subsection (b), the Secretary of Defense, acting through the military department concerned, shall determine whether and to what extent such lands are contaminated with explosive, toxic, or other hazardous materials.

(2) A copy of a determination with respect to any lands under paragraph (1) shall be transmitted to the Secretary of the Interior together with the notice of intent to relinquish such lands under subsection (b).

(3) Copies of both the notice of intent to relinquish lands under subsection (b) and the determination regarding the contamination of such lands under this subsection shall be published in the Federal Register by the Secretary of the Interior.

(d) DECONTAMINATION.—(1) If any land subject to a notice of intent to relinquish under subsection (a) is contaminated, and the Secretary of the Interior, in consultation with the Secretary of the military department concerned, makes the determination described in paragraph (2), the Secretary of the military department concerned shall, to the extent provided in advance in appropriations Acts, undertake the environmental decontamination of the land.

(2) A determination referred to in this paragraph is a determination that—

(A) decontamination of the land concerned is practicable and economically feasible (taking into consideration the potential future use and value of the land); and

(B) upon decontamination, the land could be opened to operation of some or all of the public land laws, including the mining laws.

(e) ALTERNATIVES.—(1) If a circumstance described in paragraph (2) arises with respect to any land which is covered by a notice of intent to relinquish under subsection (a), the Secretary of the Interior shall not be required to accept the land under this section.

(2) A circumstance referred to in this paragraph is—

(A) a determination by the Secretary of the Interior, in consultation with the Secretary of the military department concerned that—

(i) decontamination of the land is not practicable or economically feasible; or

(ii) the land cannot be decontaminated to a sufficient extent to permit its opening to the operation of some or all of the public land laws; or

(B) the appropriation by Congress of amounts that are insufficient to provide for the decontamination of the land.

(f) STATUS OF CONTAMINATED LANDS.—If, because of their contaminated state, the Secretary of the Interior declines to accept jurisdiction over lands withdrawn by this title which have been proposed for relinquishment under subsection (a)—

(1) the Secretary of the military department concerned shall take appropriate steps to warn the public of the contaminated state of such lands and any risks associated with entry onto such lands; and

(2) the Secretary of the military department concerned shall report to the Secretary of the Interior and to Congress concerning the status of such lands and all actions taken in furtherance of this subsection.

(g) REVOCATION OF AUTHORITY.—(1) Notwithstanding any other provision of law, the Secretary of the Interior may, upon deciding that it is in the public interest to accept ju-

isdiction over lands proposed for relinquishment pursuant to subsection (a), revoke the withdrawal established by this title as it applies to such lands.

(2) Should the decision be made to revoke the withdrawal, the Secretary of the Interior shall publish in the Federal Register an appropriate order which shall—

(A) terminate the withdrawal;

(B) constitute official acceptance of full jurisdiction over the lands by the Secretary of the Interior; and

(C) state the date upon which the lands will be opened to the operation of some or all of the public land laws, including the mining laws.

(h) TREATMENT OF CERTAIN RELINQUISHED LANDS.—Any lands withdrawn by section 2902(c) or 2902(d) that are relinquished under this section shall be public lands under the jurisdiction of the Bureau of Land Management and shall be consider vacant, unreserved, and unappropriated for purposes of the public land laws.

#### SEC. 09. DELEGABILITY.

(a) DEFENSE.—The functions of the Secretary of Defense or of the Secretary of a military department under this title may be delegated.

(b) INTERIOR.—The functions of the Secretary of the Interior under this title may be delegated, except that an order described in section 2908(g) may be approved and signed only by the Secretary of the Interior, the Under Secretary of the Interior, or an Assistant Secretary of the Interior.

#### SEC. 10. WATER RIGHTS.

Nothing in this title shall be construed to establish a reservation to the United States with respect to any water or water right on the lands described in section 2902. No provision of this title shall be construed as authorizing the appropriation of water on lands described in section 2902 by the United States after the date of the enactment of this Act except in accordance with the law of the relevant State in which lands described in section 2902 are located. This section shall not be construed to affect water rights acquired by the United States before the date of the enactment of this Act.

#### SEC. 11. HUNTING, FISHING, AND TRAPPING.

All hunting, fishing, and trapping on the lands withdrawn by this title shall be conducted in accordance with the provisions of section 2671 of title 10, United States Code.

#### SEC. 12. MINING AND MINERAL LEASING.

(a) DETERMINATION OF LANDS SUITABLE FOR OPENING.—(1) As soon as practicable after the date of the enactment of this Act and at least every five years thereafter, the Secretary of the Interior shall determine, with the concurrence of the Secretary of the military department concerned, which public and acquired lands (except as provided in this subsection) described in subsections (b), (c), and (d) of section 2902 the Secretary of the Interior considers suitable for opening to the operation of the Mining Law of 1872, the Mineral Lands Leasing Act of 1920, the Mineral Leasing Act for Acquired Lands of 1947, the Geothermal Steam Act of 1970, or any one or more of such Acts.

(2) The Secretary of the Interior shall publish a notice in the Federal Register listing the lands determined suitable for opening pursuant to this section and specifying the opening date.

(b) OPENING LANDS.—On the day specified by the Secretary of the Interior in a notice published in the Federal Register pursuant to subsection (a), the land identified under subsection (a) as suitable for opening to the operation of one or more of the laws specified in subsection (a) shall automatically be open to the operation of such laws without the necessity for further action by the Secretary or Congress.

(c) EXCEPTION FOR COMMON VARIETIES.—No deposit of minerals or materials of the types identified by section 3 of the Act of July 23, 1955 (69 Stat. 367), whether or not included in the term "common varieties" in that Act, shall be subject to location under the Mining Law of 1872 on lands described in section 2902.

(d) REGULATIONS.—(1) The Secretary of the Interior, with the advice and concurrence of the Secretary of the military department concerned, shall prescribe such regulations to implement this section as may be necessary to assure safe, uninterrupted, and unimpeded use of the lands described in section 2902 for military purposes.

(2) Such regulations shall contain guidelines to assist mining claimants in determining how much, if any, of the surface of any lands opened pursuant to this section may be used for purposes incident to mining.

(e) CLOSURE OF MINING LANDS.—In the event of a national emergency or for purposes of national defense or security, the Secretary of the Interior, at the request of the Secretary of the military department concerned, shall close any lands that have been opened to mining or to mineral or geothermal leasing pursuant to this section.

(f) LAWS GOVERNING MINING ON WITHDRAWN LANDS.—(1) Except as otherwise provided in this title, mining claims located pursuant to this title shall be subject to the provisions of the mining laws. In the event of a conflict between those laws and this title, this title shall prevail.

(2) All mining claims located under the terms of this title shall be subject to the provisions of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.).

(g) PATENTS.—(1) Patents issued pursuant to this title for locatable minerals shall convey title to locatable minerals only, together with the right to use so much of the surface as may be necessary for purposes incident to mining under the guidelines for such use established by the Secretary of the Interior by regulation.

(2) All such patents shall contain a reservation to the United States of the surface of all lands patented and of all nonlocatable minerals on those lands.

(3) For the purposes of this subsection, all minerals subject to location under the Mining Law of 1872 shall be treated as locatable minerals.

#### SEC. 13. IMMUNITY OF UNITED STATES.

The United States and all departments or agencies thereof shall be held harmless and shall not be liable for any injuries or damages to persons or property suffered in the course of any mining or mineral or geothermal leasing activity conducted on lands described in section 2902.

### NOTICES OF HEARINGS

#### PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Ms. COLLINS. Mr. President, I would like to announce for the information of the Senate and the public that the Permanent Subcommittee on Investigations of the Committee on Governmental Affairs, will hold a hearing entitled "Home Health Care: Will the New Payment System & Regulatory Overkill Hurt Our Seniors?" This Subcommittee hearing will focus on how the new Medicare Interim Payment System and new regulatory requirements from the Health Care Financing Administration may limit the access of beneficiaries most in need of home health services.

The hearing will take place on Thursday, June 10, 1999, at 2:00 p.m., in Room

342 of the Dirksen Senate Office Building. For further information, please contact Lee Blalack of the Subcommittee staff at 224-3721.

COMMITTEE ON ENERGY AND NATURAL  
RESOURCES

Mr. MURKOWSKI. Mr. President, I would like to announce that a full committee oversight hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will take place Thursday, June 24, 1999, at 9:30 a.m. in room SD-366 of the Dirksen Senate Office Building in Washington, D.C.

The purpose of this hearing is to examine the implications of the proposed acquisition of the Atlantic Richfield Company by BP Amoco, PLC. Specifically the Committee will examine the following issues related to the acquisition:

- U.S. national and energy security;
- Impact on crude oil prices and supply on the U.S. West Coast;
- Marine transportation;
- Pipeline transportation; and
- Exploration and production in Alaska and the lower 48.

Those who wish to testify or to submit written testimony should write to the Committee on Energy and Natural Resources, U.S. Senate, Washington, D.C. 20510. Presentation of oral testimony is by Committee invitation only. For further information, please contact Jo Meuse or Brian Malnak at (202) 224-6730.

COMMITTEE ON ENERGY AND NATURAL  
RESOURCES

Mr. CRAIG. Mr. President, I would like to announce for the public that a hearing has been scheduled before the Subcommittee on Forests and Public Land Management of the Senate Committee on Energy and Natural Resources.

The hearing will take place on Tuesday, June 29, at 2:30 p.m. in room SD-366 of the Dirksen Senate Office Building in Washington, D.C.

The purpose of this hearing is to receive testimony on fire preparedness on Federal lands. Specifically, what actions the Bureau of Land Management and the Forest Service are taking to prepare for the fire season; whether the agencies are informing the public about these plans; and ongoing research related to wildfire and fire suppression activities.

Those who wish to submit written testimony should write to the Committee on Energy and Natural Resources, U.S. Senate, Washington, D.C. 20510. For further information, please contact Mike Menge (202) 224-6170.

COMMITTEE ON ENERGY AND NATURAL  
RESOURCES

Mr. MURKOWSKI. Mr. President, I would like to announce for the public that a full committee hearing on S. 1049, the "Federal Oil and Gas Lease Management Improvement Act of 1999," scheduled for June 17, 1999 at 9:30 a.m. in room SD-366 of the Dirksen Senate Office Building has been postponed and will be rescheduled for a

later date to be announced by the committee.

For further information, please contact Dan Kish, of the committee professional staff, at (202) 224-8276.

AUTHORITY FOR COMMITTEES TO  
MEET

COMMITTEE ON ARMED SERVICES

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet on Tuesday, June 8, 1999, at 9:30 a.m. in open session, to consider the nominations of General Eric K. Shinseki, USA, for reappointment to the grade of general and for appointment as Chief of Staff, United States Army; and Lieutenant General James L. Jones, Jr., USMC, to be general and for appointment as Commandant of the Marine Corps.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet in closed session for a hearing re Department of Justice Oversight, during the session of the Senate on Tuesday, June 8, 1999, at 10:00 a.m., in S407 of the Capitol.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. STEVENS. Mr. President, the Committee on Veterans' Affairs would like to request unanimous consent to hold a hearing on the nominations of Kenneth W. Kizer, M.D., M.P.H., to be Under Secretary for Health, Department of Veterans Affairs, and John T. Hanson to be Assistant Secretary for Public and Intergovernmental Affairs, Department of Veterans Affairs.

The hearing will be held on Tuesday, June 8, 1999, at 2:15 p.m., in room 418 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON AFRICAN AFFAIRS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Subcommittee on African Affairs be authorized to meet during the session of the Senate on Tuesday, June 8, 1999, at 2:15 p.m. to hold a hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

RETIREMENT OF COL. WILLIAM  
ALEXANDER, USAF

• Mr. BURNS. Mr. President, as the Senate proceeds with its debate on the Defense Appropriations Bill, it is appropriate that we pause and recognize the contribution of a Defense Procurement Official on the occasion of his retirement. Colonel William Alexander—Alex to his friends—is retiring this month after an Air Force career span-

ning almost 30 years. Alex has spent much of his career leading and mentoring Defense Acquisition Professionals, leaving as his legacy a new generation of experienced procurement managers.

Born in the baby boom era between WWII and the Korean War, Alex grew up in Indiana, where he attended DePauw and Indiana Universities. After completing his Masters Degree in 1970, he entered the Air Force at Wright-Patterson Air Force Base in Dayton, Ohio. Some of his early projects started the development for today's generation of precision guided weapons. It was a whole lot trickier then, without the advantage of the Global Positioning System, but his team worked to develop a way to triangulate a target designation to improve bomb targeting reliability.

The Air Force recognized the contributions of this young officer and moved him into a career in procurement and satellite operations. Alex spent the next 20 years of his career moving between different aspects of the complex world of keeping satellites operating successfully on orbit. He was a procurement official in a number of software source selections, using his abilities to aid the Air Force in getting revolutionary operating software for its expanding fleet of satellites. After his work in operations, the Air Force wisely transferred him into the National Reconnaissance Office as the Director of the Acquisition and Engineering Group within the Communications System Acquisition and Operations Directorate. When the Deputy Director of the Communications Directorate was reassigned, Alex was selected for this position in light of his vast experience in successful acquisitions.

However, I don't want to spend too much time discussing the technical details of Colonel Alexander's career. There are many successful procurement officials within the Air Force and the Department of Defense, but few are as widely recognized for their crafting of personnel in addition to their acquisition expertise. Although the project was always treated with importance, Alex always made sure that his people came first. He was always looking to find ways to challenge his staff to grow both in technical ability and in interpersonal relationships. His success gives credence to the philosophy of empowering and caring for your people, which ultimately leads to the program success. One night during his time in satellite operations, a satellite was having difficulties getting initialized. Scores of people were working around the clock trying to work through the complex issues involved. Recognizing that people do not perform at their best when they are exhausted, Colonel Alexander banished a number of people from the operations floor until they had a rest period. The engineers returned to the floor with clearer heads and ultimately were able to get the satellite up and running successfully on orbit.