

be guilty of a Class B misdemeanor and shall be subject to a fine as provided in section 3571 of title 18, United States Code, or imprisonment as provided in section 3581 of that title, or both.

“(3) A person who violates any regulation issued under subsection (a) may also be adjudged to pay all costs of the proceedings.

“(c) PROCEDURE.—Any person charged with the violation of a regulation issued under subsection (a) may be tried and sentenced by any United States magistrate judge specially designated for that purpose by the court by which the magistrate judge was appointed, in the same manner and subject to the same conditions as provided for in subsections (b) through (e) of section 3401 of title 18, United States Code.”.

SEC. 3. ESTABLISHMENT OF MINIMUM FINE FOR VIOLATION OF PUBLIC LAND FIRE REGULATIONS DURING FIRE BAN.

(a) LANDS UNDER JURISDICTION OF BUREAU OF LAND MANAGEMENT.—Section 303(a) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1733(a)), as amended by section 2(a), is further amended by adding at the end the following new paragraph:

“(4) In the case of a regulation issued under this section regarding the use of fire by individuals on the public lands, if the violation of the regulation was the result of reckless conduct, occurred in an area subject to a complete ban on open fires, and resulted in damage to public or private property, the fine may not be less than \$500.”.

(b) NATIONAL PARK SYSTEM LANDS.—Subsection (a) of section 3 of the National Park Service Organic Act (16 U.S.C. 3), as designated and amended by section 2(b), is further amended by adding at the end the following new paragraph:

“(4) In the case of a rule or regulation issued under this subsection regarding the use of fire by individuals on such lands, if the violation of the rule or regulation was the result of reckless conduct, occurred in an area subject to a complete ban on open fires, and resulted in damage to public or private property, the fine may not be less than \$500.”.

(c) NATIONAL FOREST SYSTEM LANDS.—Subsection (b) of section 551 of the Act of June 4, 1897 (16 U.S.C. 551), as designated and amended by section 2(d), which before such designation and amendment was the eleventh undesignated paragraph under the heading “SURVEYING THE PUBLIC LANDS” of such Act, is further amended by adding at the end the following new paragraph:

“(4) In the case of a regulation issued under subsection (a) regarding the use of fire by individuals on National Forest System lands, if the violation of the regulation was the result of reckless conduct, occurred in an area subject to a complete ban on open fires, and resulted in damage to public or private property, the fine may not be less than \$500.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Virginia (Mrs. DRAKE) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentlewoman from Virginia.

GENERAL LEAVE

Ms. DRAKE. 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 the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Virginia?

There was no objection.

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

H.R. 975, introduced by the gentleman from Colorado (Mr. TANCREDO), would provide consistent enforcement authority to the Bureau of Land Management, the National Park Service, the United States Fish and Wildlife Service and the Forest Service to respond to violation of regulations regarding the management, use, and protection of public lands under the jurisdiction of these agencies. Additionally, this measure includes two technical corrections to drafting errors.

I would like to recognize and thank Chairman GOODLATTE and the House Agriculture Committee for its cooperation on this bill. H.R. 975 shares bipartisan support, and I urge its adoption.

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

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

Mr. Speaker, H.R. 975 will lead to more uniform enforcement of the criminal laws on our public lands. Original cosponsors of this legislation include Representatives MARK UDALL and DIANA DEGETTE of Colorado and JIM MATHESON of Utah, all Members who understand the value of our public lands and take seriously our responsibility as stewards of those lands. They are to be commended for their efforts to bring this measure to the floor today.

Mr. Speaker, we support H.R. 975.

Mr. TANCREDO. Mr. Speaker, I thank the House leadership for scheduling action on this important legislation. It is designed to stiffen and standardize the penalties for folks who willfully damage or destroy our public lands. It also sets a tough minimum fine of \$500 for individuals who violate fire regulations on public lands when a complete ban on open fires is in place.

I want to recognize and thank Chairman POMBO and Chairman GOODLATTE for their efforts on this bill. I'd also like to thank my colleague from Colorado, Mr. UDALL for his assistance.

In the last twenty years, Americans have found new ways to enjoy their public lands and waterways beyond just hiking, horseback riding, or powerboats. Today, mountain bikers, snowmobilers and others also use our public lands. Many of these vehicles represent the only access to the great outdoors available to a whole segment of our population—folks like senior citizens and the disabled who wouldn't otherwise be able to enjoy beautiful places like the Pike National Forest in my district.

The economic impact for Colorado of these kinds of recreational activities contributes more than \$200 million to our economy, creating more than 3,000 jobs. With those economic benefits however, have come conflicts and irresponsible actors. This legislation is designed to help ensure that those irresponsible actors pay the price for their actions.

Recreation on our public lands and waterways will continue to grow—and it should. This bill will help equip our land managers with the means to appropriately and evenhandedly enforce land use regulations

against those few bad apples who spoil the whole bunch. The TRAIL Act accomplishes this by creating consistent fines and penalties among all of our land use agencies. In doing so, the bill also increases fines and penalties substantially for people who knowingly engage in inappropriate behavior.

The second section of the bill addresses the growing problem of human caused wildfires on our public lands. Over the last ten years, human carelessness has been responsible for the ignition of over one million wildfires on our public lands. By comparison, lightning has caused only about one-tenth that many fires over the same time period.

The current penalties for violating fire regulations vary from agency to agency. In a practical sense, however, the fines are generally assessed at a far lower level. In fact, under current law, fines are set as low as \$25—little more than the cost of a seatbelt ticket in most states. I believe, as I think most people do, that these weak penalties lack any real deterrent value for would-be violators. In fact, one district ranger in Colorado related a story to me about a would-be visitor to the Pike National Forest who called to inquire if he could pay the puny fine in advance.

He told me that even in the midst of a fire season like the 2002 season in Colorado—where some 800 human caused wildfires destroyed over a quarter of a million acres—that enforcing the fire ban was a continuing problem, in large part because the fine is so small.

Enhancing the penalties for those who choose to disregard the directives of our land managers is one way we can reduce both the number of human caused wildfires and the terrible destruction they leave in their wake by creating a deterrent. This bill would accomplish that by imposing a minimum fine of \$500 for individuals who violate fire bans.

I hope the House will pass the bill, and ask for your support.

Mrs. CHRISTENSEN. Mr. Speaker, I have no further speakers, and I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Virginia (Mrs. DRAKE) that the House suspend the rules and pass the bill, H.R. 975, 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.

A motion to reconsider was laid on the table.

NORTHERN COLORADO WATER CONSERVANCY DISTRICT FACILITIES CONVEYANCE

Mrs. DRAKE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3443) to direct the Secretary of the Interior to convey certain water distribution facilities to the Northern Colorado Water Conservancy District, as amended.

The Clerk read as follows:

H.R. 3443

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

SECTION 1. DEFINITIONS.

In this Act:

(1) **CONTRACT.**—The term “contract” means—

(A) the contract between the United States and the Northern Colorado Water Conservancy District providing for the construction of the Colorado-Big Thompson Project, dated July 5, 1938; and

(B) any amendments and supplements to the contract described in subparagraph (A).

(2) **DISTRICT.**—The term “District” means the Northern Colorado Water Conservancy District.

(3) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(4) **TRANSFERRED WATER DISTRIBUTION FACILITIES.**—The term “transferred water distribution facilities” means the following facilities of the Colorado-Big Thompson Project located in the counties of Larimer, Boulder, and Weld, Colorado:

(A) The St. Vrain Supply Canal.

(B) The Boulder Creek Supply Canal that extends from the St. Vrain River to Boulder Creek, including that portion that extends from the St. Vrain River to Boulder Reservoir, which is also known as the “Boulder Feeder Canal”.

(C) The South Platte Supply Canal.

SEC. 2. CONVEYANCE OF TRANSFERRED WATER DISTRIBUTION FACILITIES.

(a) **IN GENERAL.**—The Secretary shall, as soon as practicable after the date of the enactment of this Act and in accordance with all applicable law, convey to the District all right, title, and interest in and to the transferred water distribution facilities.

(b) **CONSIDERATION.**—

(1) **DISTRICT.**—

(A) **FINDING.**—Congress finds that the District has completed the obligation of the District to repay the capital costs of the Colorado-Big Thompson Project under the contract.

(B) **NO CONSIDERATION REQUIRED.**—The District shall not be required to provide additional consideration for the conveyance of the transferred water distribution facilities under subsection (a).

(2) **ELECTRIC CUSTOMERS.**—The Western Area Power Administration shall continue to include the unpaid portion of the transferred facilities in its annual power repayment studies for the Loveland Area Projects until such facilities are repaid in accordance with the laws and policies regarding repayment of investment in effect on the date of enactment of this Act.

(c) **NO EFFECT ON OBLIGATIONS AND RIGHTS.**—Except as expressly provided in this Act, nothing in this Act affects or modifies the obligations and rights of the District under the contract, including the obligation of the District to make payments required under the contract.

SEC. 3. LIABILITY.

Except as otherwise provided by law, effective on the date of conveyance of the transferred water distribution facilities under this Act, the United States shall not be liable for damages of any kind arising out of any act, omission, or occurrence based on any prior ownership or operation by the United States of the transferred water distribution facilities.

SEC. 4. EFFECT.

Any actions or activities undertaken by the Secretary under this Act shall not affect, impact, or create any additional burdens or obligations on the New Consolidated Lower Boulder Reservoir and Ditch Company or the New Coal Ridge Ditch Company in the full exercise of their rights to water, water rights, or real property rights or in the full exercise of their rights to utilize facilities affected by this Act.

SEC. 5. REPORTS.

(a) **IN GENERAL.**—If the transferred water distribution facilities have not been conveyed by the Secretary to the District by the date that is 1 year after the date of enactment of this Act, not later than 30 days after that date, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives a report that describes—

(1) the reasons for the failure to convey the transferred water distribution facilities; and

(2) the schedule for completing the transfer as soon as practicable.

(b) **ANNUAL REPORTS.**—The Secretary shall continue to provide annual reports that provide the information described in subsection (a) until the date on which the transferred water distribution facilities are conveyed in accordance with this Act.

The **SPEAKER** pro tempore. Pursuant to the rule, the gentlewoman from Virginia (Mrs. **DRAKE**) and the gentlewoman from the Virgin Islands (Mrs. **CHRISTENSEN**) each will control 20 minutes.

The Chair recognizes the gentlewoman from Virginia.

GENERAL LEAVE

Mrs. **DRAKE**. 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 the bill under consideration.

The **SPEAKER** pro tempore. Is there objection to the request of the gentlewoman from Virginia?

There was no objection.

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

H.R. 3443, introduced by the gentlewoman from Colorado (Mrs. **MUSGRAVE**), will transfer ownership of three Bureau of Reclamation water distribution facilities within the Big Thompson project in Colorado to the Northern Colorado Water Conservancy District.

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This local water district has operated and maintained these canals since 1957 and has repaid all capital costs associated with the facilities. Transfer of these single-purpose projects creates a win-win situation by decreasing Federal liability, allowing more cost-effective and efficient management by the water district and fostering local ownership. In light of these benefits, the Bureau of Reclamation should be more proactive in working with local water users to ensure that more transfers take place.

I commend Mrs. **MUSGRAVE** for introducing this legislation and urge support for this bipartisan noncontroversial bill.

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

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

Mr. Speaker, H.R. 3443 would authorize the title transfer of specific features of the Colorado-Big Thompson project from the United States to the Northern Colorado Water Conservancy

District. This proposed title transfer will be similar to a bill that was enacted in the 106th Congress, transferring other Bureau of Reclamation facilities to this water district.

We have no objection to this legislation.

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

Mrs. **DRAKE**. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Colorado (Mrs. **MUSGRAVE**).

Mrs. **MUSGRAVE**. Mr. Speaker, in July of this year, I introduced H.R. 3443, a bill authorizing the transfer of title of three Colorado-Big Thompson projects single-purpose water conveyance facilities from the United States to the Northern Colorado Water Conservancy District.

The Colorado-Big Thompson project is one of the largest and most complex natural resource developments undertaken by the Bureau of Reclamation. The transmountain water diversion system consists of over 100 integrated structures and provides multiple benefits to the people of my district. This project spreads over approximately 250 miles in the State of Colorado. It stores, regulates and diverts water from the Colorado River on the western slope of the Continental Divide to the eastern slope of the Rocky Mountains.

The project diverts approximately 260,000-acre feet of water annually from the Colorado River headwaters on the western slope to the Big Thompson River, a South Platte River tributary on the eastern slope, for distribution to farming and communities.

The water system is vital to the people of my district. It provides drinking, irrigation and recreational waters. Without this water system, many cities and towns in my district could not exist.

The water that the Colorado-Big Thompson project diverts from the western slope travels through a series of storage reservoirs, pumping plants, tunnels and hydroelectric generating plants until it enters one of the two eastern slope terminal storage reservoirs, Horsetooth and Carter Lake Reservoirs.

From these terminal storage reservoirs, the water is delivered to water users through distribution facilities. These distribution facilities consist of single-purpose water conveyance facilities located downstream from the two terminal storage facilities.

The Northern Colorado Water Conservancy District has been responsible for these facilities since the project was operational in 1957. The District has proven to be a faithful steward of operation, maintenance and administration of the conveyance facilities. The three facilities that would be conveyed to the District by this legislation are the St. Vrain Supply Canal, the Boulder Creek Supply Canal and the South Platte Supply Canal.

This bill is very similar to legislation passed by my predecessor, Representative Bob Schaffer, in 2000, which transferred four single-purpose water conveyance facilities of the Colorado-Big Thompson Project located downstream of the Horsetooth Reservoir. This legislation would complete the transfer of all the single-purpose water conveyance facilities within the project. This transfer would allow the District to more cost-effectively manage the facility and reduce the burdensome bureaucracy of the Federal Government. The District has met its financial obligation of repayment of capital costs, and the title transfer is now appropriate. I believe that this transfer is in the best interest of the constituents of my district.

I would like to thank Chairman POMBO and his staff for moving this bill so quickly through the Resources Committee, with special thanks to Kiel Weaver for his assistance on this legislation.

Mr. Speaker, I urge the passage of this bill.

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

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

The SPEAKER pro tempore (Mr. PETRI). The question is on the motion offered by the gentlewoman from Virginia (Mrs. DRAKE) that the House suspend the rules and pass the bill, H.R. 3443, 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.

A motion to reconsider was laid on the table.

AUTHORIZING SUITABILITY AND FEASIBILITY STUDY OF DESIGNATING THE ST. LOUIS SOLDIERS' MEMORIAL MILITARY MUSEUM AS A UNIT OF THE NATIONAL PARK SYSTEM

Mrs. DRAKE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 452) to authorize the Secretary of the Interior to conduct a study to determine the suitability and feasibility of designating the Soldiers' Memorial Military Museum located in St. Louis, Missouri, as a unit of the National Park System.

The Clerk read as follows:

H.R. 452

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

SECTION 1. NATIONAL PARK SERVICE STUDY REGARDING THE SOLDIERS' MEMORIAL MILITARY MUSEUM.

(a) FINDINGS.—Congress finds as follows:

(1) The Soldiers' Memorial is a tribute to all veterans located in the greater St. Louis area, including Southern Illinois.

(2) The current annual budget for the memorial is \$185,000 and is paid for exclusively by the City of St. Louis.

(3) In 1923, the City of St. Louis voted to spend \$6,000,000 to purchase a memorial plaza and building dedicated to citizens of St. Louis who lost their lives in World War I.

(4) The purchase of the 7 block site exhausted the funds and no money remained to construct a monument.

(5) In 1933, Mayor Bernard F. Dickmann appealed to citizens and the city government to raise \$1,000,000 to construct a memorial building and general improvement of the plaza area and the construction of Soldiers' Memorial began on October 21, 1935.

(6) On October 14, 1936, President Franklin D. Roosevelt officially dedicated the site.

(7) On Memorial Day in 1938, Mayor Dickmann opened the building to the public.

(b) STUDY.—The Secretary of the Interior shall carry out a study to determine the suitability and feasibility of designating the Soldiers' Memorial Military Museum, located at 1315 Chestnut, St. Louis, Missouri, as a unit of the National Park System.

(c) STUDY PROCESS AND COMPLETION.—Section 8(c) of Public Law 91-383 (16 U.S.C. 1a-5(c)) shall apply to the conduct and completion of the study required by this section.

(d) REPORT.—The Secretary shall submit a report describing the results the study required by this section to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Virginia (Mrs. DRAKE) and the gentleman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mrs. DRAKE. 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 the bill under consideration.

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

There was no objection.

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

Mr. Speaker, H.R. 452 would authorize the Secretary of the Interior to study the suitability and feasibility of designating a military memorial in St. Louis as a unit of the National Park System.

In 1923, the City of St. Louis voted to spend \$6 million to purchase a memorial plaza and building dedicated to citizens of St. Louis who lost their lives in World War I. The purchase of the memorial site exhausted the funds. In 1933, the city government raised another \$1 million to construct a memorial building on the site. On October 14, 1936, President Franklin D. Roosevelt officially dedicated the site, and the building was open to the public on Memorial Day, 1938.

Currently, the memorial is administered by the City of St. Louis with a budget of \$192,000. Local officials have expressed that the memorial faces an uncertain future without Federal assistance and would like a Federal agency to administer the site. Again, this bill only proposes a study of this memorial and the possibility of its becoming a unit of the National Park System.

I urge adoption of the bill.

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

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

Mr. Speaker, the majority has already explained the purpose of H.R. 452, which was introduced by my friend and colleague from Missouri (Mr. CLAY). The gentleman from Missouri is to be commended for his efforts to preserve this memorial and museum, which was built to honor those who lost their lives in service to our country.

It is our expectation that the study authorized by H.R. 452 will help determine the most appropriate means to preserve and maintain the Soldiers' Memorial and thus help to continue to honor the sacrifice of those who have fought and died for our country.

Mr. Speaker, we support H.R. 452 and urge its adoption by the House today.

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

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

Mrs. CHRISTENSEN. Mr. Speaker, I yield such time as he may consume to the gentleman from Missouri (Mr. CLAY), the sponsor of this legislation.

Mr. CLAY. Mr. Speaker, I thank the gentlewoman for yielding me this time.

I want to take a moment to thank the Chairman POMBO and Chairman SAXTON and Ranking Members RAHALL and CHRISTENSEN for their willingness to support and their generous help of their staffers who have worked hard to bring the St. Louis Soldiers' Memorial Military Museum bill to the floor today.

H.R. 452, which I sponsored along with Representatives SKELTON and CARNAHAN, will authorize the Secretary of the Interior to conduct a study of the feasibility of including the Soldiers' Memorial Military Museum in St. Louis among the National Park Service's inventory of Federal monuments.

At a time when our soldiers are fighting in Iraq and Afghanistan, the American people feel a very special connection to our military forces, and the citizens of our Nation have a very real need to visit shrines that honor our Nation's veterans.

The St. Louis Soldiers' Memorial Military Museum is a treasured monument to our Nation's veterans. I believe this landmark is truly one of the most outstanding memorials ever built in tribute to those who have sacrificed their lives in service to our Nation.

The St. Louis Soldiers' Memorial was initiated by residents of St. Louis in the 1920s to honor the brave Americans who lost their lives in World War I. After several years of fundraising for land acquisition and construction, the monument was dedicated by President Franklin Delano Roosevelt on October 14, 1936, and officially opened to the public on Memorial Day, 1938.

The Soldiers' Memorial was a unique place in our Nation's history as it is the only structure in St. Louis that is