

“SEC. 216. EFFECTIVENESS OF FEDERAL GRANT AND ASSISTANCE PROGRAMS.

“(a) COOPERATIVE AGREEMENTS.—The Council may enter into a cooperative agreement with any Federal agency that administers a grant or assistance program for the purpose of improving the effectiveness of the administration of such program in meeting the purposes and policies of this Act. Such cooperative agreements may include provisions that modify the selection criteria for a grant or assistance program to further the purposes of this Act or that allow the Council to participate in the selection of recipients, if such provisions are not inconsistent with the statutory authorization and purpose of the grant or assistance program.

“(b) REVIEW OF GRANT AND ASSISTANCE PROGRAMS.—The council may—

“(1) review the operation of any Federal grant or assistance program to evaluate the effectiveness of such program in meeting the purposes and policies of this Act;

“(2) make recommendations to the head of the Federal agency that administers such program to further the consistency of the program with the purposes and policies of this Act and to improve its effectiveness in carrying out those purposes and policies; and

“(3) make recommendations to the President and the Congress regarding the effectiveness of Federal grant and assistance programs in meeting the purposes and policies of this Act, including recommendations with regard to appropriate funding levels.”

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Mexico (Mr. PEARCE) and the gentlewoman from Guam (Ms. BORDALLO) each will control 20 minutes.

The Chair recognizes the gentleman from New Mexico.

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

Mr. Speaker, H.R. 5861, introduced by me, amends the National Historic Preservation Act to do five things:

It extends the Historic Preservation Fund to 2015 for State and tribal preservation activities.

Secondly, it reauthorizes the Advisory Council on Historic Preservation.

Third, requires certain local governments to provide full due process to property owners who object to a determination of eligibility on their property.

Fourth, it imposes a deadline on State or Tribal Historic Preservation Officers to respond to section 106 applications within 30 days of a “no adverse effects” determination.

And, fifth, prohibits a State historic preservation officer from requiring a Federal agency applicant to identify properties outside the area of potential effects.

From its auspicious start in April of 2004 as a discussion draft to the bill before us in the House today, H.R. 5861 has been the subject of more discussion and rewrite they any other bill that I have been involved with since becoming the chairman of the Subcommittee on National Parks.

While the bill may not be the final product that many envisioned, myself included, I believe H.R. 5861 represents a significant step towards improving the section 106 process under the National Historic Preservation Act by reducing some of the conflicts that exist

between the business and preservation communities and the State and Tribal Preservation Officers.

In addition, H.R. 5861 will enhance private property protections in the listing process, under the Historic Preservation Act as well as improve the operation of the Advisory Council and extend the authorization of the Historic Preservation Fund.

Finally, this bill was a truly collaborative effort. I believe it is important to take a moment to thank those individuals and organizations for their help in crafting this important bill.

First of all, Congressman TURNER of Ohio; Vince Sampson of the Resources Committee majority staff; David Watkins of the Resources Committee minority staff; Chairman John Nau of the Advisory Council on Historic Preservation; the National Conference of State Historic Preservation Officers; Sonnenschein, Nath and Rosenthal; the National Mining Association, the National Trust For Historic Preservation; CTIA, the Wireless Association; the United South and Eastern Tribes; the National Association of Tribal Historic Preservation Officers; Preservation Action; the National Stone, Sand and Gravel Association; the American Cultural Resources Association; the American Association of State Highway and Transportation Officials; and Rob Howard, from the National Park Subcommittee majority staff.

I include a letter in support of the bill from CTIA, the Wireless Association.

CTIA,

THE WIRELESS ASSOCIATION,
Washington, DC, September 25, 2006.

Hon. RICHARD W. POMBO,
Chairman, Committee on Resources,
Washington, DC.

DEAR CHAIRMAN POMBO: I want to thank you and National Parks Subcommittee Chairman Pearce for all of your diligent efforts on H.R. 5861, the National Historic Preservation Act Amendments of 2006 (NHPA) and specifically the Section 106 provisions.

As you know, in 2004 a Nationwide Programmatic Agreement (NPA) was adopted to streamline the Section 106 tower siting review process. CTIA—The Wireless Association and its member companies greatly appreciate the fine work the Committee has done to clarify the NHPA relative to the NPA.

As such, for the purposes of legislative history, under Section 800.3(c)(4) of the rules of the Advisory Council on Historic Preservation (ACHP), State Historic Preservation Officers (SHPOs) and Tribal Historic Preservation Officers (THPOs) are required to respond to a request for a review of a finding or determination regarding the impact of a proposed project within 30 days. If the SHPO or THPO fails to respond within 30 days, the agency official or its designee may proceed to the next step in the process or consult with the ACHP.

This technical amendment clarifies that this 30 day time period applies equally to SHPOs, THPOs and other tribal officials acting in the same capacity off tribal lands. Any SHPO, THPO or tribal representative acting in an official capacity that is asked to review a finding or determination of the impact (or lack thereof) of a proposed project

must respond to such a request within 30 days.

All parties acting in such a role must affirmatively express any concerns about a proposed project within 30 days of notice. If no such affirmative concern is stated, consent is assumed and the project may proceed to the next stage in the process or the ACHP may be consulted.

Again, thank you for all the conscientious work that you and your National Parks Subcommittee Staff Director, Rob Howarth, have spent on this legislation.

Sincerely,

STEVE LARGENT.

Mr. Speaker, I urge adoption of the bill, and reserve the balance of my time.

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

(Ms. BORDALLO asked and was given permission to revise and extend her remarks.)

Ms. BORDALLO. Mr. Speaker, H.R. 5861 is an acceptable compromise. While it makes technical changes to the Historic Preservation Act, it includes none of the highly controversial amendments that were first proposed by the majority.

The historic preservation community, including the Advisory Council, the Trust, and the State and Tribal Historic Preservation Officers support this legislation.

Mr. Speaker, we do not oppose H.R. 5861

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Mexico (Mr. PEARCE) that the House suspend the rules and pass the bill, H.R. 5861, 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.

EXTENDING AUTHORIZATION FOR ESTABLISHING A MEMORIAL IN THE DISTRICT OF COLUMBIA TO HONOR VETERANS

Mr. PEARCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4275) to amend Public Law 106-348 to extend the authorization for establishing a memorial in the District of Columbia or its environs to honor veterans who became disabled while serving in the Armed Forces of the United States.

The Clerk read as follows

H.R. 4275

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

SECTION 1. AUTHORITY FOR ESTABLISHING MEMORIAL EXTENDED.

Section 1 of Public Law 106-348 is amended—

(1) in subsection (b), by adding at the end, before the final period, the following: “, except that section 8903(e) of title 40, United

States Code, shall not apply and the authorization for this Act shall expire on October 24, 2015"; and

(2) in subsection (d), by striking "under section 10(b) of such Act (40 U.S.C. 1010(b))" and inserting "under subsection (b)".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Mexico (Mr. PEARCE) and the gentlewoman from Guam (Ms. BORDALLO) each will control 20 minutes.

The Chair recognizes the gentleman from New Mexico.

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

Mr. Speaker, H.R. 4275, introduced by Congresswoman SUE KELLY, would extend through October, 2015, the authority of the Disabled Veterans' Life Memorial Foundation to raise funds for a memorial in the District of Columbia to honor veterans who became disabled while serving in the Armed Forces of the United States. The organization has already secured a site from the National Park Service for this memorial.

I urge adoption of the bill.

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

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

(Ms. BORDALLO asked and was given permission to revise and extend her remarks.)

Ms. BORDALLO. Mr. Speaker, we supported the original authorization for a memorial to disabled veterans here in Washington, D.C. Through no fault of the memorial proponents, complications regarding the final site selection have delayed the approval process.

Mr. Speaker, this is a very important piece of legislation that is near and dear to many of our hearts. Just this summer, I attended a Purple Heart pinning ceremony for a young soldier from Guam, Sergeant Jeremy Balamonte, who was wounded in action in Iraq early in the war. Another soldier, Jilario Bermanis, from Micronesia, was paralyzed in combat.

Mr. Speaker, we have had a number of fatalities and wounded soldiers fighting in this war. So, again, I would like to emphasize that this is something that is very, very dear to my heart.

We support this extension to allow this project the time it needs to move forward.

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

Mr. PEARCE. Mr. Speaker, I yield such time as she may consume to the gentlewoman from New York (Mrs. KELLY).

Mrs. KELLY. Mr. Speaker, 6 years ago, Congress created the American Veterans Disabled for Life Memorial Foundation. We tasked them with establishing a memorial in Washington, D.C., honoring veterans who became disabled while serving in the Armed Forces of the United States.

The Foundation's work is important, but it is not yet complete. When they are finished, they will have created a

memorial that is long overdue to pay tribute to our Nation's veterans who have returned from the battlefield bearing the scars of war.

I have been working closely with the Foundation to help them in their efforts. I have introduced legislation in the House, H.R. 1951, that would mint a commemorative coin in honor of our disabled veterans. The proceeds of this coin will go towards the efforts of the Foundation to build the memorial.

This legislation currently has 195 cosponsors, and I invite my colleagues to cosponsor this legislation that pays tribute to our veterans in two ways, by minting a coin honoring our Nation's disabled veterans, and by helping the Foundation in their efforts to build a memorial to disabled veterans.

I would like to quote from a letter from Bradley Barton, the National Commander of the Disabled American Veterans, which has endorsed the American Veterans Disabled for Life Memorial Coin Act.

Commander Barton says, "We express our pride, patriotism, values and national identity through memorials that signify and define who we are as a Nation; and it is important that we maintain public recognition and awareness of the extraordinary sacrifices disabled veterans have made on behalf of their fellow citizens and our country."

DISABLED AMERICAN VETERANS,

Washington, DC, September 21, 2006.

Hon. SUE KELLY,

House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE KELLY: Once again, Congress is prepared to adjourn sine die without addressing the "American Veterans Disabled for Life Commemorative Coin Act," H.R. 1951. The Senate bill, S. 633, passed on May 25, 2006. It has been held since then, pending House action.

This legislation provides for the minting and sale of special coins to commemorate living disabled American veterans and authorizes special surcharges on these coins to be contributed to the fund for construction of a memorial to disabled veterans on grounds near the Nation's Capitol in accordance with legislation already enacted.

We express our pride, patriotism, values, and national identity through memorials that signify and define who we are as a nation, and it is important that we maintain public recognition and awareness of the extraordinary sacrifices disabled veterans had made on behalf of their fellow citizens and our country.

The coins will be minted starting in 2010, the same year that the groundbreaking and dedication of the American Veterans Disabled for Life Memorial will take place. A portion of the proceeds from this coin will support the construction of this Memorial. Please don't let this legislation die in the 109th Congress. I call upon you to cosponsor H.R. 1951.

Please let me know if you plan to cosponsor and support this legislation.

Sincerely,

BRADLEY S. BARTON,
National Commander.

The Foundation's cofounder and chairwoman is Lois Pope, a woman who is dedicated and committed to making this memorial a reality. To date, the Foundation has raised more

than \$25 million of the \$65 million needed to build the memorial.

More telling still is the sheer number of people they have enlisted to help in their efforts. Within the last 2 years alone, more than 550,000 individual Americans have contributed in support of the memorial.

H.R. 4275, the bill before the House today, would extend the American Veterans Disabled for Life Memorial Foundation's charter until 2015. This would provide the Foundation with ample time to complete their fundraising, design and construction efforts on the disabled veterans memorial.

The National Park Service also supports the extension. National Park Deputy Director Donald Murphy testified before the House National Parks Subcommittee on May 25, saying that, "The Foundation has proceeded in a professional and responsible manner in all aspects of the memorial process, and we feel it is fair to allow the Foundation additional time to continue fundraising and complete design development."

The Foundation was created by an act of Congress in 2000, and the Congress should extend its charter so this organization can complete the important work we have tasked them with. I encourage every Member of this House to support H.R. 4275, and I support the great work that the American Veterans Disabled for Life Memorial Foundation continues doing to honor our Nation's disabled veterans.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today to support H.R. 4275, to amend Public Law 106-348 to extend the authorization for establishing a memorial in the District of Columbia or its environs to honor veterans who became disabled while serving in the Armed Forces of the United States.

The passage of H.R. 4275 would authorize an additional 8 years for the Disabled Veterans' LIFE Memorial Foundation, Foundation to establish the American Veterans Disabled for Life Memorial in the District of Columbia. The original authorization date to establish the memorial was October 24, 2000 and is set to expire on October 24, 2007 if the Foundation has not secured a permit to begin construction from the National Park Service, NPS, before that date.

Mr. Speaker, we must pass H.R. 4275 to ensure that the well-deserved memorial to honor disabled veterans can come to its fruition. I am virtually certain that we all value the time and service of all of our veterans, who have faithfully served to protect the interests of this great Nation and its citizens. We certainly would like to express that sentiment here today by passage of H.R. 4275 to honor permanently disabled veterans.

A mere technical permit incompleteness cannot be allowed to erase our wholehearted intent and desire to support the establishment of an appropriate memorial to honor our disabled veterans—those men and women who have unselfishly sacrificed dreams for duty, and limbs and lives for liberty.

The extension request is certainly a reasonable one. Given the unique aspects of the site and the need to secure adequate traffic patterns in order to achieve both a site worthy of

this memorial and the appropriate urban design in relation to the U.S. Capitol and the U.S. Botanic Gardens, the Foundation should be given additional time for the continued fundraising, design and development that is necessary. If giving extra time is crucial to the successful completion of this memorial, it is only fair to give it. For these honorable veterans have already given us their time.

Indeed, allowing an extension for this memorial project is not new. We have granted other similar extensions for the completion of memorials. These extensions include the memorials to Women in Military Service for America, George Mason, World War II, Martin Luther King, Jr., and the Victims of Communism.

There are over 3 million living disabled veterans in this country, a number which unfortunately continues to rise as we remain engaged in the Iraq and Afghanistan conflicts. Let us respect and honor the invaluable service of all past and future disabled veterans by ensuring that the Foundation is granted an extension necessary to complete the Americans Disabled Veterans For Life Memorial.

I urge my colleagues to support this resolution.

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Ms. BORDALLO. Mr. Speaker, I have no further speakers, and I yield back my time.

Mr. PEARCE. Mr. Speaker, I have no additional speakers, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Mexico (Mr. PEARCE) that the House suspend the rules and pass the bill, H.R. 4275.

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

A motion to reconsider was laid on the table.

AUTHORIZING LAND CONVEYANCE TO THE MISSOURI RIVER BASIN LEWIS AND CLARK INTERPRETIVE TRAIL AND VISITOR CENTER FOUNDATION

Mr. PEARCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3871) to authorize the Secretary of Interior to convey to The Missouri River Basin Lewis and Clark Interpretive Trail and Visitor Center Foundation, Inc. certain Federal land associated with the Lewis and Clark National Historic Trail in Nebraska, to be used as an historical interpretive site along the trail, as amended.

The Clerk read as follows:

H.R. 3871

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

SECTION 1. LAND CONVEYANCE, LEWIS AND CLARK NATIONAL HISTORIC TRAIL, NEBRASKA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Interior may convey, without consideration, to The Missouri River Basin Lewis and Clark Interpretive Trail and Visitor Center Foundation, Inc., a 501(c)(3) not-for-profit organization with operational headquarters at 100 Valmont Drive, Ne-

braska City, Nebraska, 68410, all right, title and interest of the United States in and to the federally owned land under jurisdiction of the Secretary consisting of 2 parcels as generally depicted on the map titled "Lewis and Clark National Historic Trail", numbered 648/80.002, and dated March 2006.

(b) SURVEY; CONVEYANCE COST.—The exact acreage and legal description of the land to be conveyed under section (a) shall be determined by a survey satisfactory to the Secretary. The cost of the survey and all other costs incurred by the Secretary to convey the land shall be borne by the Missouri River Basin Lewis and Clark Interpretive Trail and Visitor Center Foundation, Inc.

(c) CONDITION OF CONVEYANCE, USE OF CONVEYED LAND.—The conveyance authorized under subsection (a) shall be subject to the condition that the Missouri River Basin Lewis and Clark Interpretive Trail and Visitor Center Foundation, Inc. use the conveyed land as a historic site and interpretive center for the Lewis and Clark National Historic Trail.

(d) DISCONTINUANCE OF USE.—If Missouri River Basin Lewis and Clark Interpretive Trail and Visitor Center Foundation, Inc. determines to discontinue use of the land conveyed under subsection (a) as an historic site and interpretive center for the Lewis and Clark National Historic Trail, the Missouri River Basin Lewis and Clark Interpretive Trail and Visitor Center Foundation, Inc. shall convey lands back to the Secretary without consideration.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) or the conveyance, if any, under subsection (d) as the Secretary considers appropriate to protect the interests of the United States.

(f) AUTHORIZATION OF APPROPRIATIONS.—To assist with the operation of the facility there is authorized to be appropriated \$150,000 per year for a period not to exceed 10 years.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Mexico (Mr. PEARCE) and the gentlewoman from Guam (Ms. BORDALLO) each will control 20 minutes.

The Chair recognizes the gentleman from New Mexico.

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

H.R. 3871, introduced by Congressman JEFF FORTENBERRY, would authorize the Secretary of the Interior to convey to the Missouri River Basin Lewis and Clark Interpretive Trail and Visitor Center Foundation specified Federal land associated with the Lewis and Clark National Historic Trail in Nebraska. This land would be used as an historic site and interpretive center for the trail.

I urge your support for H.R. 3871.

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

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

(Ms. BORDALLO asked and was given permission to revise and extend her remarks.)

Ms. BORDALLO. Mr. Speaker, this is a noncontroversial measure, and it contains appropriate safeguards regarding the property being conveyed for use as a visitor center for the Lewis and Clark National Historic Trail.

We urge the adoption of H.R. 3871.

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

Mr. PEARCE. Mr. Speaker I yield such time as he may consume to the gentleman from Nebraska (Mr. FORTENBERRY), the author of the legislation.

Mr. FORTENBERRY. Mr. Speaker, I thank the gentleman from New Mexico.

Mr. Speaker, I rise in strong support of H.R. 3871, a bill to authorize the Secretary of the Interior to convey a Lewis and Clark visitor center in my district from the National Park Service to a well-respected nonprofit organization. As the sponsor of this bill, I encourage my colleagues to support this important legislation.

I would like to begin by expressing my sincere appreciation to the distinguished gentleman from California (Mr. POMBO), the chairman of the House Committee on Resources, and the distinguished gentleman from New Mexico (Mr. PEARCE), the chairman of the Subcommittee on National Parks, for their outstanding work on bringing this legislation to the floor. We appreciate it.

I would also like to take this opportunity to express my gratitude to Nancy Hoch from Nebraska City, who has played such a key role in the construction of the visitor center and its ongoing operation. Her vision and leadership have been instrumental in making the center such an outstanding success.

The bill is very straightforward. It would simply convey certain Federal land near Nebraska City associated with the Missouri River Basin Lewis and Clark Interpretive Trail and Visitor Center to the related nonprofit group, the Missouri River Basin Lewis and Clark Interpretive Trail and Visitor Center Foundation, Incorporated.

The bill also authorizes \$150,000 annually for 10 years to operate the facility. It is important to note that the National Park Service currently provides about \$200,000 annually to subsidize operations at the center. As a result, enactment of this legislation would actually save the Federal Government about \$50,000 per year.

It is also important to note that I worked with the National Park Service in drafting the language for the bill, and this proposed conveyance fits with the long-range plans for the center. I also believe that it would be the most cost-effective option for the Park Service.

H.R. 3871 is cosponsored by both of my colleagues from Nebraska, Representatives LEE TERRY and TOM OSBORNE. A companion bill in the Senate, S. 1957, has the support of both Nebraska Senators, CHUCK HAGEL and BEN NELSON.

The Interpretive Trail and Visitor Center is an outstanding resource and an impressive facility. The nonprofit organization associated with it includes a committed group of individuals who have spent many years making the center a reality and ensuring that it provides a meaningful and educational experience for those who visit