

enforce Federal laws and regulations within a Reclamation project or on Reclamation lands with such enforcement powers as may be so assigned to them by the Secretary;

(3) cooperate with any State or local government, including an Indian tribe, in the enforcement of the laws or ordinances of that State or local government; and

(4) provide reimbursement to a State or local government, including an Indian tribe, for expenditures incurred in connection with activities under paragraph (2).

(d) **POWERS OF LAW ENFORCEMENT OFFICERS.**—A law enforcement officer authorized by the Secretary of the Interior under subsection (c) may—

(1) carry firearms within a Reclamation project or on Reclamation lands;

(2) make arrests without warrants for—

(A) any offense against the United States committed in his presence; or

(B) any felony cognizable under the laws of the United States if he has—

(i) reasonable grounds to believe that the person to be arrested has committed or is committing such a felony, and

(ii) such arrest occurs within a Reclamation project or on Reclamation lands or the person to be arrested is fleeing therefrom to avoid arrest;

(3) execute within a Reclamation project or on Reclamation lands any warrant or other process issued by a court or officer of competent jurisdiction for the enforcement of the provisions of any Federal law or regulation issued pursuant to law for any offense committed within a Reclamation project or on Reclamation lands; and

(4) conduct investigations within a Reclamation project or on Reclamation lands of offenses against the United States committed within a Reclamation project or on Reclamation lands if the Federal law enforcement agency having investigative jurisdiction over the offense committed declines to investigate the offense.

(e) **LEGAL STATUS OF STATE OR LOCAL LAW ENFORCEMENT OFFICERS.**—

(1) **STATE OR LOCAL OFFICERS NOT FEDERAL EMPLOYEES.**—Except as otherwise provided in this section, a law enforcement officer of any State or local government, including an Indian tribe, authorized to act as a law enforcement officer under subsection (c) shall not be deemed to be a Federal employee and shall not be subject to the provisions of law relating to Federal employment, including those relating to hours of work, rates of compensation, employment discrimination, leave, unemployment compensation, and Federal benefits.

(2) **APPLICATION OF FEDERAL TORT CLAIMS ACT.**—For purposes of chapter 171 of title 28, United States Code (commonly known as the Federal Tort Claims Act), a law enforcement officer of any State or local government, including an Indian tribe, shall, when acting as a law enforcement officer under subsection (c) and while under Federal supervision and control, and only when carrying out Federal law enforcement responsibilities, be considered a Federal employee.

(3) **AVAILABILITY OF WORKERS COMPENSATION.**—For purposes of subchapter I of chapter 81 of title 5, United States Code, relating to compensation to Federal employees for work injuries, a law enforcement officer of any State or local government, including an Indian tribe, shall, when acting as a law enforcement officer under subsection (c) and while under Federal supervision and control, and only when carrying out Federal law enforcement responsibilities, be deemed a civil service employee of the United States within the meaning of the term employee as defined in section 8101 of title 5, and the provisions of that subchapter shall apply. Benefits under such subchapter shall be reduced by

the amount of any entitlement to State or local workers compensation benefits arising out of the same injury or death.

(f) **CONCURRENT JURISDICTION.**—Nothing in this section shall be construed or applied to limit or restrict the investigative jurisdiction of any Federal law enforcement agency, or to affect any existing right of a State or local government, including an Indian tribe, to exercise civil and criminal jurisdiction within a Reclamation project or on Reclamation lands.

(g) **REGULATIONS.**—Except for the authority provided in section 2(c)(1), the law enforcement authorities provided for in this section may be exercised only pursuant to regulations issued by the Secretary of the Interior and approved by the Attorney General.

(h) **DEFINITIONS.**—In this section:

(1) **LAW ENFORCEMENT PERSONNEL.**—The term “law enforcement personnel” means an employee of a Federal, State, or local government agency, including an Indian tribal agency, who has successfully completed law enforcement training approved by the Secretary and is authorized to carry firearms, make arrests, and execute service of process to enforce criminal laws of his or her employing jurisdiction.

(2) **RECLAMATION PROJECT; RECLAMATION LANDS.**—The terms “Reclamation project” and “Reclamation lands” have the meaning given such terms in section 2803 of the Reclamation Projects Authorization and Adjustment Act of 1992 (16 U.S.C. 4601 32).

The **SPEAKER** pro tempore (Mr. HANSEN). Pursuant to the rule, the gentleman from California (Mr. CALVERT) and the gentleman from West Virginia (Mr. RAHALL) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. CALVERT).

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

Mr. Speaker, the Bureau of Reclamation is responsible for protecting 348 Federal dams, 58 hydroelectric power plants, and over 8 million acres of Federal property that contain 300 recreation areas hosting over 90 million visitors each year. Yet, they do not have the authority to contract with any entity to ensure that Federal law is enforced at these facilities.

While Reclamation can contact State and local law enforcement agencies to enforce State and local laws, these entities cannot enforce Federal laws within a Reclamation project or on Reclamation-administered lands.

There continue to be incidents reported by Reclamation field offices regarding criminal acts on these lands and facilities that threaten public safety and property. This bill will vest the Bureau of Reclamation with the authority to contract with other Federal, State, tribal, or local law enforcement entities to provide services at Bureau of Reclamation facilities.

This legislation does not create a new law enforcement agency within the Bureau; it does allow Reclamation to contract with existing agencies, and reimburses them for law enforcement services.

These measures, especially in times such as we are in today, are not only prudent, they are essential. The administration has placed high priority on correcting this situation, and I urge

Members to take action, and to do so by supporting this legislation.

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

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

Mr. Speaker, H.R. 2925, as amended, would assist in law enforcement efforts at the Bureau of Reclamation facilities in 17 western States. Despite the agency's responsibility to manage more than 300 dams and reservoirs and 58 hydroelectric power plants, the Secretary of the Interior lacks the adequate authority to enforce Federal law at Bureau of Reclamation facilities. There are often violations of Federal law, including vandalism, theft, trespass, and threats to the security of the facilities.

H.R. 2925, as amended, would authorize the Secretary to contract with Federal, State, local and tribal law enforcement agencies to enforce Federal and State laws on Reclamation lands. The bill would authorize the Secretary to contract with an adjacent landowner, such as the Forest Service or the local police department, to enforce laws on Reclamation lands. The bill would also authorize the Secretary to pay the law enforcement agencies for their services.

The administration supports this bill. Given our support for the safety of our water supply, this legislation, as amended, deserves our support. I urge its adoption.

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

Mr. CALVERT. 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 California (Mr. CALVERT) that the House suspend the rules and pass the bill, H.R. 2925, 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.

MOCCASIN BEND NATIONAL HISTORIC SITE ESTABLISHMENT ACT

Mr. RADANOVICH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 980) to establish the Moccasin Bend National Historic Site in the State of Tennessee as a unit of the National Park System, as amended.

The Clerk read as follows:

H.R. 980

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 “Moccasin Bend National Historic Site Establishment Act”.

SEC. 2. DEFINITIONS.

For the purposes of this Act the following definitions apply:

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

(2) **HISTORIC SITE.**—The term “historic site” means the Moccasin Bend National Historic Site.

(3) STATE.—The term “State” means the State of Tennessee.

(4) MAP.—The term “Map” means the map entitled “Boundary Map, Moccasin Bend National Historic Site”, numbered NAMB/80000A, and dated September 2001.

SEC. 3. ESTABLISHMENT.

(a) IN GENERAL.—In order to preserve, protect, and interpret for the benefit of the public the nationally significant archeological and historic resources located on the peninsula known as Moccasin Bend, Tennessee, there is established as a unit of the National Park System the Moccasin Bend National Historic Site.

(b) BOUNDARIES.—The historic site shall consist of approximately 900 acres generally depicted on the Map. The Map shall be on file and available for public inspection in the appropriate offices of the National Park Service, Department of the Interior. The Secretary may make minor revisions in the boundaries of the historic site in accordance with section 7(c) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–9(c)).

(c) ACQUISITION OF LAND AND INTERESTS IN LAND.—

(1) IN GENERAL.—The Secretary may acquire by donation or purchase from willing sellers, using donated or appropriated funds, lands and interests in lands within the exterior boundary of the historic site.

(2) MOCCASIN BEND MENTAL HEALTH INSTITUTE.—Notwithstanding paragraph (1), the Secretary may acquire the State-owned land and interests in land (including structures on that land) known as the Moccasin Bend Mental Health Institute for inclusion in the historic site only by donation and only after the facility is no longer used to provide health care services, except that the Secretary may acquire by donation only, at any time, any such State-owned land or interests in land that the State determines is excess to the needs of the Moccasin Bend Mental Health Institute. The Secretary may work with the State through a cost sharing arrangement for the purpose of demolishing the structures located on that land that the Secretary determines should be demolished.

(3) EASEMENT OUTSIDE BOUNDARY.—To allow access between areas of the historic site that on the date of the enactment of this Act are non-contiguous, the Secretary may acquire by donation or purchase from willing owners, using donated or appropriated funds, an easement connecting the areas generally depicted on the Map as the “Moccasin Bend Archeological National Historic Landmark” and the “Rock-Tenn” property.

(d) MOCCASIN BEND GOLF COURSE.—On the date of the enactment of this Act, the boundary of the historic site shall not include the approximately 157 acres of land generally depicted on the Map as the “Golf Course” as such lands shall not be within the boundary of the historic site. In the event that those lands are no longer used as a public golf course, the Secretary may acquire the lands for inclusion in the historic site by donation only. Upon such acquisition, the Secretary shall adjust the boundary of the historic site to include the newly acquired lands.

(e) RADIO TOWER PROPERTY.—On the date of the enactment of this Act, the boundary of the historic site shall not include the approximately 13 acres of land generally depicted on the Map as “WDEF”. In the event that those lands are no longer used as a location from which to transmit radio signals, the Secretary may acquire the lands for inclusion in the historic site by donation or purchase from willing sellers with appropriated or donated funds. Upon such acquisition, the Secretary shall adjust the boundary of the historic site to include the newly acquired lands.

SEC. 4. ADMINISTRATION.

(a) IN GENERAL.—The historic site shall be administered by the Secretary in accordance with this Act and with the laws generally applicable to units of the National Park System.

(b) COOPERATIVE AGREEMENT.—The Secretary may consult and enter into cooperative agreements with culturally affiliated federally recognized Indian tribes, governmental entities, and interested persons to provide for the restoration, preservation, development, interpretation, and use of the historic site.

(c) VISITOR INTERPRETIVE CENTER.—For purposes of interpreting the historical themes and cultural resources of the historic site, the Secretary may establish and administer a visitor center in the development of the center’s operation and interpretive programs.

(d) GENERAL MANAGEMENT PLAN.—Not later than three years after funds are made available for this purpose, the Secretary shall develop and submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives a general management plan for the historic site. The general management plan shall describe the appropriate protection and preservation of natural, cultural, and scenic resources, visitor use, and facility development within the historic area consistent with the purposes of this Act, while ensuring continued access to private landowners to their property.

SEC. 5. REPEAL OF PREVIOUS ACQUISITION AUTHORITY.

The Act of August 3, 1950 (Chapter 532; 16 U.S.C. 424a–4) is repealed.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. RADANOVICH) and the gentleman from West Virginia (Mr. RAHALL) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. RADANOVICH).

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

Mr. Speaker, H.R. 908, introduced by the gentleman from Tennessee (Mr. WAMP), establishes the Moccasin Bend National Historical Site as a unit of the National Park System. The gentleman from Tennessee (Mr. WAMP) is to be commended for his very hard work in bringing this bill to the floor and addressing a number of issues of concern. Because of his efforts and the advocacy that he participated in, the bill is now ready to move forward.

This area of land, approximately 900 acres along the Tennessee River in Chattanooga, contains a number of historical artifacts and played a large role during the Civil War. Moccasin Bend was studied by the National Park Service, which recommended this area for inclusion as a park unit because it possessed an extensive range of historic themes and cultural resources.

Mr. Speaker, this bill was amended during committee proceedings in order to address many of the concerns voiced by the minority and the Park Service, especially with the future of the public golf course and the mental health facility boundaries and adjustments.

Most of these major problems have been worked out, and the bill is now supported by both the minority and the administration. Furthermore, appropriations for the acquisition have already been included in this year’s budget, and authorization is required in order to proceed.

Mr. Speaker, I again congratulate the gentleman from Tennessee (Mr. WAMP) on his very hard work on this

bill, and I urge my colleagues to support H.R. 908, as amended.

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

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

Mr. Speaker, Moccasin Bend is an area near Chattanooga, Tennessee, where archeologists have unearthed evidence of Native American inhabitants dating back thousands of years, mingled with important artifacts from the Civil War. In fact, this area is thought to be one of the most important Native American sites within any American city. Yet, Moccasin Bend enjoys no uniform protection.

The area is home to a number of uses that are inconsistent with providing the area and its artifacts the protection they deserve. H.R. 980 will be an important step in changing this. The legislation will designate a major portion of Moccasin Bend as a national historic park, to be managed and preserved by the National Park Service. Once fully established, future generations will be able to visit this new unit and explore firsthand thousands of years of history.

It should be noted that passage of H.R. 980 does not mean that there is no more to be done at Moccasin Bend. Several of the parcels in the area simply cannot be included in the park at this time. However, this legislation provides us with the tools we need to include those areas in the near future, and we look forward to working with the gentleman from Tennessee (Mr. WAMP) and the local community to ensure this area will be fully protected.

Mr. Speaker, we support H.R. 980 and urge our colleagues to do likewise.

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

Mr. RADANOVICH. Mr. Speaker, I yield such time as he may consume to the gentleman from Tennessee (Mr. WAMP).

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

Mr. WAMP. Mr. Speaker, I have been privileged for the last 43 years to call Chattanooga, Tennessee my hometown. Chattanooga, the word, is a derivative of a Creek Indian word which means “rock coming to a point,” because what those Native Americans saw there above the Tennessee River as it meanders through the foothills of Appalachia is Lookout Mountain coming to a point. They had a Creek Indian word that later became “Chattanooga.”

If we stand on the northern tip of Lookout Mountain at Point Park, which is part of the Chickamauga Chattanooga National Military Park where the Civil War was fought, and we overlook the City of Chattanooga and the Tennessee River, we literally look right down on this boot, this moccasin called Moccasin Bend.

It is a peninsula that is rich, I mean rich, with human history. As a matter of fact, anthropologists say that there

is not another unit in the National Park System that is as rich. They call it a constellation of human habitation through the various time periods dating back 10,500 years. That is the known human habitation and human history of Moccasin Bend.

But when we looked down at Moccasin Bend when it was just raw land, it was beautiful. It is still beautiful today, but as the gentleman from West Virginia says, it actually has been cut up somewhat because of buildings that have been built on it and different infrastructure that has been placed there. However, it is time, long past time, to preserve this particular asset through our National Park System.

Mr. Speaker, about 5 years ago, as a member of the Subcommittee on Interior of the Committee on Appropriations, we were able to insert the money for this study that our chairman, the gentleman from California, referred to. The study came back and clearly determined the national significance, the suitability, and the feasibility of adding Moccasin Bend to the National Park System.

When we look back on the human history, believe it or not, we have proof that hunters, human hunters, hunted mammoth and mastodon here on Moccasin Bend; then later white-tailed deer. Then we know the history that the Native Americans actually lived there.

As the Spanish explorers DeSoto and DeLuna came through this part of our country on their way, DeSoto to the Mississippi River 450 years ago, their colleagues and their contemporaries actually made a home here on Moccasin Bend. Then the Trail of Tears crossed Moccasin Bend not once but twice as that tragic chapter in American history took place. The Civil War, different assets of the Civil War are there. There were actually gun emplacements there and emplacements there on Moccasin Bend. So it is rich with human history, and it needs to be preserved and protected.

Two main barriers existed. With regard to the Moccasin Bend Mental Health Center, we found a way to grandfather that in, and even to free up the State of Tennessee to go ahead and convey all the property except where the buildings actually sit, so that the park can go ahead and establish its boundaries.

Also, there is a municipal golf course there that the city and county jointly own. We allowed it to be left alone, and at a later time, whenever there is no longer a golf course there, the property can be added. The Secretary of the Interior can just take it.

So in both cases we had to find a compromise, so we were building consensus, and we have. Part of the bill specifically addresses an interpretive center where we can interpret the Native American history.

If Members have been to Chattanooga lately, they know what a wonderful place it has become. In the last 15

years, it has been transformed into a people place. All up and down the Tennessee River are river walks and trails. This national park addition will very much compliment what has already been done there with public-private partnerships and a tremendous infusion of private capital to bring people back to the river and reclaiming our heritage.

The beautiful Tennessee Aquarium is one of the largest tourist draws in the Southeast there. So many activities have taken place, and this fits right into it.

The compromise ends up being about 900 acres into the National Park System. It has been supported by our city, by our county; the State of Tennessee is in favor of this. We have unanimous support from the Tennessee congressional delegation, both parties. The cultural committee of the five civilized tribes of Cherokees and Native Americans have supported this proposal.

The group that kept this dream alive from 1950 until now, and see, this original legislation passed in 1950 to add this to the National Park System, but Governor Frank Clement at the time decided to build a mental health center there. He did not sign the legislation. Now our colleague, his son, the gentleman from Tennessee (Mr. CLEMENT) is cosponsor of the legislation to finally add Moccasin Bend into the National Park System. We are encouraged by that greatly. Over the last 50 years, organizations have tried to bring this back up, but in the last 6 years or so an organization called Friends of Moccasin Bend have done yeoman's work in making this a reality.

We commend Mickey Robbins and Jay Mills, Bob Hunter, Mike Mann, Meg Beene, and many others; City Councilpersons Sally Robinson and John Taylor; our new Mayor, Bob Corker; County Executive Claude Ramsey. We have done very well to bring all these people together.

In closing, Mr. Speaker, I would like to thank the committees very, very much: the ranking member, the gentleman from West Virginia (Mr. RAHALL) and the gentleman from Utah (Mr. HANSEN); at the subcommittee level, the gentleman from Colorado (Chairman HEFLEY), and now the gentleman from California (Chairman RADANOVICH), and the ranking member, the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN), have worked with us to try to dot our I's and cross our T's.

There has been excellent staff support: Robb Howarth and Tod Hall; on the minority side, David Watkins has been very helpful. At the subcommittee level of the Committee on Appropriations, both in the Subcommittee on Interior and the Subcommittee on Energy and Water Development, where I serve, all of our staff members have been extremely helpful.

This is a great day in the history of our city and our region because Moccasin Bend needs to be a separate unit

in the National Park System, a national historic site. Today, with bipartisan support, I hope we will pass this bill through the House of Representatives and send it to the United States Senate, and get in line so that when President Bush lifts the moratorium on new additions into the National Park System, we would maybe be behind the Ronald Reagan boyhood home. So the gentleman from Illinois (Speaker HASTERT) gets his wish first, and I get my wish second.

I thank my colleagues for working with me on this most important step toward preserving a real American treasure, the Moccasin Bend National Historic Site.

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

Mr. Speaker, I want to commend the gentleman from Tennessee (Mr. WAMP) for the enthusiasm and dogged determination with which he has pursued this issue.

Obviously, judging from his remarks just now in the well and his every appearance before our committee and before this body, Members can really see his love for this area. I salute him for that dedication.

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

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

The SPEAKER pro tempore (Mr. HANSEN). The question is on the motion offered by the gentleman from California (Mr. RADANOVICH) that the House suspend the rules and pass the bill, H.R. 980, 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.

METACOMET-MONADNOCK-SUNAPEE-MATTABESSETT TRAIL STUDY ACT OF 2001

Mr. RADANOVICH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1814) to amend the National Trails System Act to designate the Metacomet-Monadnock-Sunapee-Mattabesett Trail extending through western New Hampshire, western Massachusetts, and central Connecticut for study for potential addition to the National Trails System, as amended.

The Clerk read as follows:

H.R. 1814

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 "Metacomet-Monadnock-Mattabesett Trail Study Act of 2001".

SEC. 2. DESIGNATION OF METACOMET-MONADNOCK-MATTABESSETT TRAIL FOR STUDY FOR POTENTIAL ADDITION TO THE NATIONAL TRAILS SYSTEM.

Section 5(c) of the National Trails System Act (16 U.S.C. 1244(c)) is amended by adding at the end the following new paragraph: